

each person desiring to participate in benefits from such fund; authorizing the deduction of not less than one nor more than three (3) per centum from his salary; providing that failure to file such statement or failure or refusal to allow such deductions shall forfeit his right to participate in such Fund; providing for vote of members of fire departments within thirty (30) days after the effective date of the Act upon the amount of salary to be deducted for this Fund; making provision for pension payments to surviving members of the family of deceased firemen who have been retired because of disability; exempting said Fund from seizure or levy by any execution, attachment, etc.; making retirement optional with firemen subject to approval of the board; providing for re-examination of persons retired for physical disability; providing for recall to duty after retirement; providing for discontinuing payment hereunder to persons convicted of a felony and for payment to dependents instead; making provision for time spent in armed forces of the nation during war or national emergency; providing all persons now being paid under similar statutes shall be included in this Act and the board created hereunder shall stand in place of any similar board created by prior statute; making it the duty of the City Attorney to represent the Board of Trustees, without additional compensation, in all cases of appeal; providing for investment of surplus in Federal, State, county and municipal bonds; providing for recovery by the Board of Trustees by civil action of any moneys paid out through fraud, misrepresentation, etc.; providing for the proportionate reduction of allowance or disability benefits in case of insufficiency of funds; defining terms; providing a saving clause; fixing the effective date of the Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 515, An Act applicable to the County of Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said County for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said County; prohibiting the use of trotlines or throw lines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said County, with certain exceptions; providing legal length of catfish in said County; providing the daily bag limit of catfish; providing penalties for any violation of this Act; providing the provisions of this Act shall expire June 1, 1943; and repealing all laws in conflict,

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

SENT TO THE GOVERNOR

June 9, 1941

House Bill No. 965.

House Bill No. 360.

House Bill No. 1012.

House Bill No. 922.

House Bill No. 1049.

House Bill No. 1059.

House Bill No. 515.

House Bill No. 871.

House Bill No. 1020.

House Concurrent Resolution No. 92.

House Concurrent Resolution No. 128.

House Concurrent Resolution No. 197.

House Concurrent Resolution No. 211.

House Concurrent Resolution No. 216.

EIGHTY-SEVENTH DAY

(Tuesday, June 10, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hobbs
Allen	Howard
Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Baker	Hughes
Bean	Humphrey
Bell	Hutchinson
Benton	Isaacks
Blankenship	Jones
Boone	Kelly
Brawner	Kennedy
Bray	Kinard
Bridgers	King
Brown	Klingeman
Bruhl	Knight
Bullock	Lansberry
Bundy	Lehman
Burkett	Leyendecker
Burnaman	Little
Carlton	Lock
Carrington	Love
Cato	Lowry
Chambers	Lucas
Clark	Lyle
Cleveland	McAlister
Coker	McDonald
Colson, Mrs.	McGlasson
Connelly	McLellan
Craig	McMurry
Crossley	McNamara
Crosthwait	Manford
Daniel	Manning
Davis	Markle
Deen	Martin
Dickson of Bexar	Matthews
Dickson of Nolan	Mills
Donald	Montgomery
Dove	Moore
Duckett	Morgan
Dwyer	Morris
Ellis	Morse
Eubank	Murray
Evans	Pace
Ferguson	Parker
Files	Pevehouse
Fitzgerald	Phillips
Fuchs	Price
Gandy	Rampy
Garland	Reed of Bowie
Gilmer	Reed of Dallas
Goodman	Ridgeway
Halsey	Rhodes
Hanna	Roark
Hardeman	Roberts
Hargis	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Sharpe
Hartzog	Simpson
Helpinstill	Skiles
Henderson	Smith of Bastrop
Hileman	Smith of Atascosa

Spacek	Vale
Spangler	Voigt
Stanford	Walters
Stinson	Wattner
Stubbs	Weatherford
Taylor	White
Thornton	Whitesides
Turner	Winfree

Absent—Excused

Celaya	McCann
Favors	Nicholson
Heflin	Shell
Kersey	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our heavenly Father, in Thy presence we live and before Thee we carry on. Impress us with the dignity of our labors and the great significance of our attitudes and actions. Do Thou help us to see clearly the ways of justice and righteousness, and to lend ourselves to Thy purposes inasfar as they may be understood, as Thou shalt lead us on. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McCann for today on motion of Mr. Senterfitt.

Mr. Kersey for today on motion of Mr. Carlton.

Mr. Shell for today on motion of Mr. Hartzog.

Mr. Celaya for today on motion of Mr. Bundy.

The following Members were granted leaves of absence on account of illness:

Mr. Heflin for today and the balance of the week on account of illness in family on motion of Mr. Montgomery.

Mr. Favors for today on motion of Mr. Craig.

Mr. Daniel temporarily for today on account of illness in family on motion of Mr. Manning.

**TO DESIGNATE MEMORIAL DAY
AS A LEGAL HOLIDAY**

Mr. Blankenship offered the following resolution:

H. C. R. No. 219, To Designate Memorial Day as a Legal Holiday.

Whereas, The illustrious history of our Country and our State and the courage and example of brave intrepid patriots is a source of faith and confidence to the present generation in these chaotic and crucial times, and

Whereas, Texas has had many brave sons who have fought in foreign wars as well as upon Texas soil and who have made the supreme sacrifice to protect the freedom and liberties of their country and homeland, and

Whereas, The memory of American soldiers who have died in defense of the Country is honored nationally on May 30th throughout the United States by a National Memorial day as a legal holiday, and

Whereas, Memorial Day has not as yet been proclaimed in Texas, a State so rich in patriotic sacrifice and tradition, now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That in behalf of the people of the State of Texas, May the 30th be proclaimed as a legal holiday in Texas commemorating the honor and memory of American soldiers who have given their lives in order that future generations may live in freedom and liberty in America.

The resolution was read second time and was adopted.

**AUTHORIZING THE PAYMENT OF
CERTAIN WARRANTS AT
FACE VALUE**

Mr. Taylor offered the following resolution:

H. C. R. No. 222, To permit the Treasurer of the State of Texas to pay State Warrants at their face value which are issued pursuant to the provisions of House Bill No. 930 of the Forty-seventh Legislature.

Whereas, House Bill No. 930 of the Forty-seventh Legislature, approved by the Governor of Texas on

the 27th day of May, 1941, appropriated to the Adjutant General's Department the sum of \$65,000.00 for the procurement of munitions and other military supplies and for the crating, packing, handling, transporting, shipping, and distributing of articles furnished by the Federal Government for the Texas Defense Guard, and

Whereas, The Federal Government has refused to accept State Warrants which have to be discounted as payment therefor; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the Treasurer of the State of Texas be authorized to pay warrants at their full face value, issued under the authority of House Bill No. 930 of the Forty-seventh Legislature, which warrants are payable to the Federal Government or to any agency of the Federal Government.

The resolution was read second time and was adopted by the following vote:

Yeas—128

Allen	Dickson of Bexar
Allison	Dickson of Nolan
Alsup	Donald
Avant	Dove
Bailey	Duckett
Baker	Ellis
Bean	Eubank
Bell	Evans
Benton	Ferguson
Blankenship	Fitzgerald
Boone	Fuchs
Bridgers	Gandy
Brown	Gilmer
Bruhl	Goodman
Bullock	Halsey
Bundy	Hanna
Burkett	Hardeman
Burnaman	Hargis
Carlton	Harris of Dallas
Carrington	Harris of Hill
Cato	Hartzog
Clark	Helpinstill
Cleveland	Henderson
Coker	Hileman
Colson, Mrs.	Hobbs
Connelly	Howard
Craig	Hoyo
Crossley	Huddleston
Crosthwait	Huffman
Davis	Hughes
Deen	Humphrey

Hutchinson	Morse
Isaacks	Murray
Jones	Pace
Kelly	Parker
Kennedy	Pevehouse
Kinard	Phillips
King	Price
Klingeman	Rampy
Knight	Reed of Bowie
Lansberry	Reed of Dallas
Lehman	Ridgeway
Leyendecker	Rhodes
Little	Roark
Lock	Roberts
Love	Senterfitt
Lowry	Sharpe
Lucas	Skiles
Lyle	Smith of Bastrop
McAlister	Smith of Atascosa
McDonald	Spacek
McGlasson	Spangler
McMurry	Stanford
McNamara	Stinson
Manford	Stubbs
Manning	Taylor
Markle	Thornton
Martin	Turner
Matthews	Walters
Mills	Wattner
Montgomery	Weatherford
Moore	White
Morgan	Whitesides
Morris	Winfree

Nays—1

Bray

Absent

Browner	McLellan
Chambers	Sallas
Dwyer	Simpson
Files	Vale
Garland	Voigt
Howington	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

RELATIVE TO SUPERINTENDENTS
OF CERTAIN INSTITUTIONS

Mr. Alsop offered the following resolution:

H. S. R. No. 330, Relative to Superintendents of Certain Eleemosynary and Reformatory Institutions.

Whereas, A Committee on State

Eleemosynary and Reformatory Institutions was authorized by the House of Representatives of the 47th Legislature, and appointed by the Speaker, and

Whereas, Said committee met in Room 6, June 3, 1941, at 7:45 p. m. with twelve members present and nine members absent, and at this meeting heard certain testimony and after such hearing instructed the Chairman, M. A. (Bill) Bundy, to recommend to the Board of Control, "that the Superintendent of the following named institutions, to-wit: Gainesville State School for girls; State Orphans Home of Corsicana; Gatesville State School for Boys; Austin State School; State Farm Colony; Rusk State Hospital; San Antonio State Hospital; State Hospital of Abilene, be replaced, and those designated be notified by July 31st, 1941, so that each superintendent dismissed or those employed will have a full month in which to leave or take over the place to which they are assigned. The Chairman is further instructed to recommend that the Board of Control use their own judgment as to the Superintendents of Wichita Falls, Terrell and Waco, and the Superintendents who are employed for the next biennium be given instructions to not employ any person who uses intoxicants to excess, and to further take into consideration the distribution of those employed state-wide and not from any one town, locality or county. The motion prevailed by a viva voce vote;" and

Whereas, A letter dated June 4, 1941, addressed to Honorable Harry Knox, Chairman of the State Board of Control, and signed M. A. (Bill) Bundy, Chairman of Eleemosynary Committee, included in addition to the above committee statement the following information:

"The Committee discussed at length, the question of the plants at Wichita Falls, Terrell, and Waco, but the matter of decision as to changes at those points was left in the discretion of the Board, but instructed me to say to the Board, that if the Board found it necessary to make any change at either of those points to do so, and the Committee would subscribe to the Board's action in the

matter, and if the present superintendents were left at those points, to be very sure that their service is, and will remain satisfactory to the Board.

"The Committee suggests that the Board give wise consideration to each and every new appointment to these very important positions, and that such new superintendents be properly instructed as to their duties and requirements, both by the Board and as set out in the statutes. It will be the purpose of this Committee to investigate each and every one of these institutions in the near future, and we will try to make the round before September 1st, and will furnish you with such information as we get, and that you should have, pertaining to each institution. The Committee wants to help you in every way possible and we only hope that the new appointments will be men and women that will be of better service to the State of Texas than we have had in the past.

"We thank the Board for their kind cooperation, and at any time this Committee can be of any service, call on us."

Whereas, This Committee of the House of Representatives appointed by the Chair, made no report to the Speaker who appointed it nor to the House that authorized its existence, of its intentions to make such a report or write such a letter to the Board of Control, and

Whereas, This Committee made its recommendations quoted above to the Chairman of the Board of Control, so far as any record indicates, without hearing or making any provision to hear these superintendents, and permitting said Superintendents to make any defense to such charges or accusations as were made against them, and

Whereas, Such procedure is contrary to legislative practice and without precedent, therefore, be it

Resolved by the House of Representatives, That the Eleemosynary Committee rescind any action which it may have taken with reference to making a report of Eleemosynary Institutions to the State Board of Control and that said Committee im-

mediately make a report of its findings to the House of Representatives; and

Be it further resolved, That Superintendents of all Eleemosynary Institutions who have been recommended by said Committee to be discharged by the Board of Control, be permitted to make statements to the House as to their conduct as Superintendents of the Institutions over which they have control and to furnish any information, which they deem advisable to furnish to the House, as to their official conduct.

ALSUP,
HARDEMAN,
TAYLOR,
AVANT,
CARRINGTON,
STANFORD,
PEVEHOUSE.

The resolution was read second time.

(Mr. Kennedy in the Chair.)

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—68

Allen	Goodman
Alsup	Hanna
Avant	Hardeman
Bailey	Harris of Dallas
Bell	Hileman
Benton	Hoyo
Boone	Huffman
Brawner	Hughes
Brown	Humphrey
Burnaman	Jones
Carlton	King
Carrington	Knight
Cato	Lansberry
Chambers	Lehman
Cleveland	Leyendecker
Coker	Little
Crosthwait	Lowry
Dickson of Bexar	Lucas
Dickson of Nolan	Manning
Donald	Markle
Dwyer	Montgomery
Ellis	Morgan
Eubank	Morris
Ferguson	Morse
Fuchs	Parker
Gandy	Pevehouse
Gilmer	Phillips

Price	Smith of Atascosa
Reed of Dallas	Stanford
Rhodes	Taylor
Roberts	Vale
Sharpe	Walters
Skiles	Weatherford
Smith of Bastrop	Whitesides

Nays—40

Allison	Kinard
Baker	Love
Bray	McGlasson
Bruhl	McMurry
Bullock	McNamara
Bundy	Manford
Connelly	Matthews
Crossley	Mills
Davis	Moore
Dove	Murray
Evans	Pace
Fitzgerald	Rampy
Garland	Reed of Bowie
Halsey	Ridgeway
Hargis	Simpson
Helpinstill	Spacek
Hobbs	Thornton
Huddleston	Turner
Isaacks	Wattner
Kelly	Winfree

Present—Not Voting

Craig	McLellan
Duckett	Martin
Files	Roark
Harris of Hill	Stubbs
Klingeman	White

Absent

Bean	Hutchinson
Blankenship	Lock
Bridgers	Lyle
Burkett	McAlister
Clark	McDonald
Colson, Mrs.	Sallas
Deen	Senterfitt
Hartzog	Spangler
Henderson	Stinson
Howard	Voigt
Howington	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

Mr. Alsop moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

COMMUNICATION

The Chair laid before the House and had read the following communication:

June 10, 1941.

Mr. Speaker, Members of the House of Representatives:

In compliance with House Simple Resolution No. 327, requesting the Chief Clerk to communicate with the hospital authorities at Saint Mary's Hospital in the City of Port Arthur to ascertain the progress or change in the Honorable C. E. Nicholson's condition, this is to report that the cause of trouble has been determined and will be eliminated. Mr. Nicholson expects to be out of the hospital within the next two or three weeks.

Respectfully,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

RELATIVE TO DEDICATION OF THE TYLER STATE PARK

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 76, Relative to Dedication of the Tyler State Park.

Whereas, The Tyler State Park in Smith County is being publicly dedicated on June 14 and 15; and

Whereas, The Senate and the House of Representatives of the 47th Legislature of Texas have been particularly invited, as well as the public generally, to attend the dedication ceremonies; and

Whereas, The Tyler State Park is one of the most beautiful scenic spots in all Texas and is located nearer to the urban population of this State than most of the other State Parks; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Legislature of the State of Texas call attention of the people of Texas to the beauty of the park and the recreational facilities provided for the benefit of visitors, and invite all Texans to be present and participate in the dedication of the Tyler State Park on June 14 and 15.

The resolution was read second time and was adopted.

**ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL NO. 233**

The Chair laid before the House, for consideration at this time, the Conference Committee report on House Bill No. 233.

The report having been printed in the Journal on June 9.

On motion of Mr. Alsup, the report was adopted by the following vote:

Yeas—108

Allison	Harris of Hill
Alsup	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bean	Howington
Bell	Hoyo
Benton	Huddleston
Boone	Huffman
Brawner	Hughes
Bray	Humphrey
Bridgers	Hutchinson
Brown	Isaacks
Bruhl	Jones
Bullock	Kelly
Burnaman	King
Carlton	Klingeman
Chambers	Knight
Clark	Lansberry
Cleveland	Lehman
Coker	Leyendecker
Colson, Mrs.	Little
Connelly	Lock
Crossley	Love
Davis	Lowry
Dickson of Bexar	Lucas
Donald	McLellan
Duckett	Manford
Ellis	Manning
Eubank	Markle
Evans	Martin
Ferguson	Matthews
Files	Mills
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morgan
Garland	Morris
Gilmer	Morse
Halsey	Murray
Hanna	Pace
Hardeman	Parker
Hargis	Pevehouse

Price	Spacek
Rampy	Spangler
Reed of Bowie	Stanford
Reed of Dallas	Stubbs
Ridgeway	Taylor
Rhodes	Thornton
Roark	Turner
Roberts	Walters
Senterfitt	Wattner
Sharpe	Weatherford
Simpson	White
Skiles	Whitesides
Smith of Bastrop	Winfree
Smith of Atascosa	

Nays—5

Craig	McMurry
Harris of Dallas	Stinson
McGlasson	

Absent

Allen	Hartzog
Blankenship	Howard
Bundy	Kinard
Burkett	Lyle
Carrington	McAlister
Cato	McDonald
Crosthwait	McNamara
Deen	Phillips
Dickson of Nolan	Sallas
Dove	Vale
Dwyer	Voigt
Goodman	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

Mr. Alsup moved to reconsider the vote by which the report was adopted and to table the motion to reconsider.

The motion to table prevailed.

**ADOPTION OF CONFERENCE COM-
MITTEE REPORT ON HOUSE
JOINT RESOLUTION
No. 23**

Mr. Brawner submitted the following Conference Committee report on House Joint Resolution No. 23:

Austin, Texas, June 5, 1941.

Honorable Coke R. Stevenson, President of the Senate;

Honorable Homer Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House on House Joint Resolution No. 23, have met and beg leave to recommend that said House Joint Resolution No. 23 be passed in the form hereto attached.

Respectfully submitted,

MOFFETT,
ISBELL,
AIKIN,
LEMENS,
LANNING.

On the part of the Senate.

BRAWNER,
MOORE,
McNAMARA,
GILMER,
BOONE.

On the part of the House.

H. J. R. No. 23,

A JOINT RESOLUTION

Proposing an amendment to Article 3 of the Constitution of the State of Texas authorizing the lending of Two Million Dollars (\$2,000,000) of the Permanent School Fund for the construction of a State office building, or buildings; providing for repayment to the Permanent School Fund; providing for the submission of this amendment to the voters of this State; and providing for the necessary proclamation and expense of publication.

Be It Resolved by the Legislature of the State of Texas:

Section 1. That Article 3 of the Constitution of the State of Texas be amended by adding thereto a new section to be known as Section 49-a, which shall read as follows:

"Sec. 49-a. The Legislature may provide by law for the issuance of not more than Two Million Dollars (\$2,000,000) in bonds or obligations of the State of Texas to the Permanent School Fund for the construction in the City of Austin of a State office building or buildings, and the State Board of Education is hereby directed to invest not more than Two Million Dollars (\$2,000,000) of the Permanent School Fund therein. Such bonds shall be executed on be-

half of the State of Texas by the Governor and Comptroller, and shall bear a rate of interest not to exceed three (3) per cent per annum, payable annually; they shall be of such denomination as may be prescribed by law, and shall be payable in not to exceed twenty-five (25) equal installments beginning one year from date of issuance; and the State Treasurer is hereby authorized and directed to set aside into a special fund annually at the beginning of each fiscal year until all of said bonds shall have been paid off and discharged, a sufficient amount of the first moneys coming into the Treasury for the use and benefit of the General Revenue Fund not otherwise heretofore obligated to the payment of bonds and interest, a sufficient amount to pay the interest becoming due and the bonds maturing during such fiscal year. From said Fund, the Treasurer shall pay the interest on said bonds as it comes due, to the credit of the Available School Fund; and shall pay off said bonds as they become due and deposit the amounts so paid to the credit of the Permanent School Fund. The power hereby granted to issue bonds is expressly limited to the amount stated and to five (5) years from and after the adoption of this grant by the people."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to the qualified voters of the State of Texas at an election to be held on the third day of November, 1942, at which election all voters favoring such proposed amendment shall write or have printed on their ballots the words:

"For the Amendment to the Constitution of the State of Texas authorizing the investment of not more than Two Million Dollars (\$2,000,000) of the Permanent School Fund in bonds of the State of Texas to be issued for the construction of a State office building or buildings and providing for the repayment of the said sum of money to the Permanent School Fund."

"Against the Amendment to the Constitution of the State of Texas authorizing the investment of not more than Two Million Dollars (\$2,000,000) of the Permanent School

Fund in bonds of the State of Texas to be issued for the construction of a State office building or buildings and providing for the repayment of the said sum of money to the Permanent School Fund."

Sec. 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and have the same published as required by the Constitution and existing laws of the State.

Sec. 4. The sum of Eight Thousand Dollars (\$8,000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State not otherwise appropriated to pay the expenses of said publication and election.

On motion of Mr. Brawner, the report was adopted by the following vote:

Yeas—120

Allen	Evans
Allison	Ferguson
Alsup	Files
Avant	Fuchs
Bailey	Gandy
Baker	Garland
Bean	Gilmer
Bell	Halsey
Benton	Hanna
Blankenship	Hardeman
Boone	Hargis
Brawner	Harris of Dallas
Bray	Harris of Hill
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hileman
Bullock	Hobbs
Burnaman	Howard
Carlton	Howington
Carrington	Hoyo
Cato	Huddleston
Clark	Huffman
Cleveland	Hughes
Coker	Humphrey
Colson, Mrs.	Hutchinson
Connelly	Jones
Craig	Kelly
Crossley	Knight
Davis	Lansberry
Dickson of Bexar	Lehman
Donald	Leyendecker
Dove	Little
Duckett	Lock
Ellis	Love
Eubank	Lowry

Lucas	Ridgeway
Lyle	Rhodes
McDonald	Roark
McGlasson	Roberts
McLellan	Senterfitt
McMurry	Sharpe
McNamara	Simpson
Manford	Skiles
Markle	Smith of Bastrop
Martin	Smith of Atascosa
Matthews	Spacek
Mills	Spangler
Montgomery	Stanford
Moore	Stinson
Morgan	Stubbs
Morris	Taylor
Morse	Thornton
Murray	Turner
Pace	Vale
Parker	Walters
Pevehouse	Wattner
Phillips	Weatherford
Price	White
Rampy	Whitesides
Reed of Bowie	Winfree
Reed of Dallas	

Nays—1

King

Absent

Bundy	Hartzog
Burkett	Isaacks
Chambers	Kinard
Crosthwait	Klingeman
Deen	McAlister
Dickson of Nolan	Manning
Dwyer	Sallas
Fitzgerald	Voigt
Goodman	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

MOTION TO PLACE HOUSE JOINT RESOLUTION NO. 32 ON SECOND READING

Mr. Lucas moved that the necessary rules be suspended, for the purpose of taking up and considering, at this time,

H. J. R. No. 32, Proposing an amendment to Article III of the Constitution of the State of Texas by adding a new section to be known as Section 56-a, granting the Legislature power to pass local laws by pop-

ulation brackets regulating the affairs of counties, cities, towns, school districts, and other political subdivisions, such laws to become effective if ratified within ninety (90) days after passage; providing the date for an election; providing the form and substance of ballots; providing for issuance of proclamation and publication; and making an appropriation to pay expenses of the publication and election.

The motion was lost.

HOUSE JOINT RESOLUTION No. 7 ON FINAL PASSAGE

The Chair laid before the House, on its final passage,

H. J. R. No. 7, Proposing an amendment to the Constitution of the State of Texas to provide free textbooks for children of scholastic age attending any private, church, parochial school or academy, or any orphan asylum of Texas, at the election of such schools to use such textbooks.

The resolution having heretofore been read third time with amendment by Mr. Spacek pending.

Question: Shall the Amendment be adopted?

MOTION TO PLACE SENATE BILL NO. 183 ON SECOND READING

Mr. McLellan moved that the necessary rules be suspended, for the purpose of taking up and considering at this time,

S. B. No. 183, A bill to be entitled "An Act declaring the floods of Colorado County, Texas, to be a public calamity, etc.; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—65

Alsup	Benton
Avant	Boone
Bailey	Brown
Baker	Bruhl
Bean	Burnaman
Bell	Carrington

Coker
Colson, Mrs.
Connelly
Donald
Duckett
Dwyer
Evans
Hardeman
Hartzog
Helpinstill
Henderson
Hileman
Hobbs
Hoyo
Huddleston
Huffman
Hughes
Kelly
Knight
Lansberry
Leyendecker
Lowry
Lucas
Lyle
McDonald
McGlasson
McLellan

McMurry
McNamara
Markle
Martin
Matthews
Mills
Montgomery
Moore
Pace
Pevehouse
Phillips
Price
Rampy
Roark
Sharpe
Simpson
Smith of Bastrop
Smith of Atascosa
Spacek
Stanford
Taylor
Thornton
Vale
White
Whitesides
Winfrey

Nays—55

Allison	Hutchinson
Blankenship	Isaacks
Brawner	Jones
Bray	King
Bridgers	Klingeman
Bullock	Lehman
Carlton	Little
Cato	Lock
Cleveland	Love
Craig	Morgan
Davis	Morris
Deen	Morse
Dickson of Bexar	Murray
Dickson of Nolan	Parker
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Ferguson	Ridgeway
Files	Roberts
Fitzgerald	Senterfitt
Gandy	Skiles
Garland	Spangler
Halsey	Stinson
Hanna	Stubbs
Hargis	Turner
Harris of Dallas	Voigt
Harris of Hill	Wattner
Howington	Weatherford
Humphrey	

Absent

Allen	Burkett
Bundy	Chambers

Clark
Crossley
Crosthwait
Dove
Fuchs
Gilmer
Goodman
Howard

Kinard
McAlister
Manford
Manning
Rhodes
Sallas
Walters

Absent—Excused

Celaya
Daniel
Favors
Heffin

Kersey
McCann
Nicholson
Shell

MESSAGE FROM THE SENATE

Austin, Texas, June 10, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on House Bill No. 233 by a viva-voce vote.

The Senate has concurred in House amendments to Senate Bill No. 5 by the following vote: Yeas, 22; nays, 6.

Passed

H. B. No. 222, A bill to be entitled "An Act to amend Article 2978, Revised Civil Statutes, 1925, by adding thereto a new Article to be known as Article 2978-a prescribing additional requirements for the official ballot in general elections, etc.; and declaring an emergency." (With amendment).

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 222 WITH SENATE AMENDMENTS

Mr. Benton called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 222, A bill to be entitled "An Act to amend Article 2978, Revised Civil Statutes, 1925, by adding thereto a new Article, prescribing additional requirements for the official ballot in general elections."

On motion of Mr. Benton, the

House concurred in the Senate amendments by the following vote:

Yeas—124

Allen	Howington
Allison	Hoyo
Alsup	Huddleston
Avant	Huffman
Bailey	Hughes
Baker	Humphrey
Bean	Hutchinson
Bell	Isaacks
Benton	Jones
Blankenship	Kelly
Boone	Klingeman
Brawner	Knight
Bray	Lansberry
Bridgers	Lehman
Brown	Leyendecker
Bruhl	Little
Bullock	Lock
Burnaman	Love
Carlton	Lowry
Carrington	Lucas
Cato	Lyle
Chambers	McDonald
Clark	McGlasson
Cleveland	McMurry
Coker	Manford
Colson, Mrs.	Markle
Connelly	Martin
Craig	Matthews
Crossley	Mills
Deen	Montgomery
Dickson of Bexar	Moore
Dickson of Nolan	Morgan
Donald	Morris
Dove	Morse
Duckett	Murray
Dwyer	Pace
Ellis	Parker
Eubank	Pevehouse
Evans	Phillips
Ferguson	Price
Files	Rampy
Fitzgerald	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Ridgeway
Garland	Rhodes
Gilmer	Roark
Halsey	Roberts
Hanna	Senterfitt
Hardeman	Sharpe
Hargis	Simpson
Harris of Dallas	Skiles
Harris of Hill	Smith of Bastrop
Helpinstill	Smith of Atascosa
Henderson	Spacek
Hileman	Spangler
Hobbs	Stinson
Howard	Stubbs

Taylor
Thornton
Turner
Vale
Walters

Wattner
Weatherford
White
Whitesides
Winfree

Absent

Bundy
Burkett
Crosthwait
Davis
Goodman
Hartzog
Kinard
King

McAlister
McLellan
McNamara
Manning
Sallas
Stanford
Voigt

Absent—Excused

Celaya
Daniel
Favors
Heflin

Kersey
McCann
Nicholson
Shell

**MOTION TO PLACE SENATE BILL
NO. 489 ON SECOND READING**

Mr. Duckett moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

S. B. No. 489, A bill to be entitled "An Act declaring the floods of Jackson County, Texas, to be a public calamity; authorizing a donation and grant to Jackson County Flood Control District of one-half of the State ad valorem taxes collected in Jackson County for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Texas, etc.; and declaring an emergency."

The motion was lost by the following vote:

Yeas—60

Avant
Bailey
Baker
Bell
Benton
Brown
Burnaman
Carrington
Cato
Chambers
Coker
Connelly
Deen

Donald
Dove
Duckett
Dwyer
Evans
Gilmer
Halsey
Hargis
Hartzog
Helpinstill
Henderson
Hobbs
Hoyo

Huddleston
Huffman
Hughes
Kelly
Klingeman
Leyendecker
Lock
Lowry
Lucas
Lyle
McLellan
Markle
Matthews
Mills
Montgomery
Moore
Morse

Murray
Pace
Parker
Pevehouse
Phillips
Rampy
Roark
Sharpe
Smith of Bastrop
Smith of Atascosa
Spacek
Stanford
Taylor
Thornton
White
Whitesides
Winfree

Nays—61

Allison
Alsup
Boone
Brawner
Bray
Bridgers
Bruhl
Bullock
Carlton
Cleveland
Craig
Davis
Dickson of Bexar
Dickson of Nolan
Ellis
Eubank
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Hanna
Hardeman
Harris of Dallas
Harris of Hill
Hileman
Howington
Humphrey
Hutchinson
Isaacks

Jones
King
Lansberry
Lehman
Little
Love
McGlasson
McMurry
McNamara
Martin
Morgan
Morris
Price
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roberts
Senterfitt
Simpson
Skiles
Spangler
Stinson
Stubbs
Turner
Vale
Voigt
Walters
Wattner
Weatherford

Absent

Allen
Bean
Blankenship
Bundy
Burkett
Clark
Colson, Mrs.
Crossley
Crosthwait

Goodman
Howard
Kinard
Knight
McAlister
McDonald
Manford
Manning
Sallas

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

**AUTHORIZING THE LOAN OF
CERTAIN HIGHWAY
EQUIPMENT**

Mr. Fuchs offered the following resolution:

H. C. R. No. 224, Authorizing the loan of Certain Highway Equipment.

Whereas, The State Highway Department of Texas has a large quantity of discarded guard wire in Washington County; and

Whereas, The Burton Independent School District of Washington County anticipates a large number of people attending athletic events to be held in the near future; and

Whereas, It will be necessary and important to said School District to fence the grounds where said athletic events will be held; and

Whereas, It would be a great accommodation to said School District if the State Highway Department were permitted to loan said District the discarded wire hereinabove mentioned for the purpose of fencing the grounds; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Highway Department of Texas be authorized to loan to the School Board of the Burton Independent School District sufficient quantities of the discarded wire hereinabove mentioned for the purposes as hereinabove set out, said School Board to return such wire upon request of the State Highway Department, and it is so resolved.

The resolution was read second time and was adopted.

**HOUSE BILL NO. 1054 ON SECOND
READING**

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1054, A bill to be entitled "An Act amending Section 19 (f) of Article 3912e, also known as

Section 19 (f) of Acts of the Second Called Session of the Forty-fourth Legislature, Chapter 465, page 1762, by adding thereto a new section, to be known as Section 19 (f-1) of Article 3912e, to make adequate provision for the employment and compensation of assistants and employees by the District Attorney or Criminal District Attorney in any county having a population of not less than Three Hundred Twenty-five Thousand (325,000) nor more than Five Hundred Thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and providing further for the employment and compensation of certain additional assistants and employees by the District Attorney or Criminal District Attorney, by and with the advice and consent of the Commissioners Court in any county having a population of not less than Three Hundred Twenty-five Thousand (325,000) nor more than Five Hundred Thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 1054 ON THIRD
READING**

Mr. Hoyo moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1054 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Allen	Bruhl
Allison	Bullock
Alsup	Burnaman
Avant	Carlton
Bailey	Carrington
Baker	Cato
Bell	Chambers
Benton	Clark
Blankenship	Cleveland
Boone	Coker
Brawner	Colson, Mrs.
Bray	Connelly
Bridgers	Craig
Brown	Davis

Deen	McGlasson
Dickson of Bexar	McLellan
Dickson of Nolan	McMurry
Donald	McNamara
Duckett	Manford
Dwyer	Manning
Ellis	Markle
Eubank	Martin
Ferguson	Matthews
Files	Mills
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morgan
Garland	Morris
Gilmer	Morse
Halsey	Murray
Hanna	Pace
Hargis	Parker
Harris of Dallas	Pevehouse
Harris of Hill	Phillips
Helpinstill	Price
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Rhodes
Howard	Roark
Howington	Roberts
Hoyo	Sallas
Huddleston	Senterfitt
Huffman	Sharpe
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Isaacks	Smith of Atascosa
Jones	Spacek
Kinard	Spangler
King	Stanford
Klingeman	Stinson
Lansberry	Stubbs
Lehman	Taylor
Leyendecker	Thornton
Little	Turner
Lock	Vale
Love	Walters
Lowry	Weatherford
Lucas	White
Lyle	Whitesides
McDonald	Winfree

Absent

Bean	Hartzog
Bundy	Kelly
Burkett	Knight
Crossley	McAlister
Crosthwait	Rampy
Dove	Ridgeway
Evans	Voigt
Goodman	Wattner
Hardeman	

Absent—Excused

Celaya	Daniel
--------	--------

Favors
Heflin
Kersey

McCann
Nicholson
Shell

The Chair then laid House Bill No. 1054 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118

Allen	Hobbs
Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Baker	Hughes
Bell	Humphrey
Benton	Hutchinson
Blankenship	Isaacks
Boone	Jones
Brawner	King
Bray	Klingeman
Bridgers	Lansberry
Brown	Lehman
Bruhl	Leyendecker
Bullock	Little
Burnaman	Lock
Carlton	Love
Carrington	Lowry
Cato	Lucas
Chambers	Lyle
Clark	McDonald
Cleveland	McGlasson
Coker	McLellan
Colson, Mrs.	McMurry
Connelly	McNamara
Craig	Manford
Deen	Manning
Dickson of Nolan	Markle
Donald	Martin
Duckett	Matthews
Dwyer	Mills
Ellis	Montgomery
Eubank	Moore
Ferguson	Morgan
Files	Morris
Fitzgerald	Morse
Fuchs	Murray
Gandy	Pace
Garland	Parker
Gilmer	Pevehouse
Halsey	Phillips
Hanna	Price
Hargis	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Hill	Rhodes
Helpinstill	Roark
Henderson	Roberts
Hileman	Sallas

Senterfitt	Stubbs
Sharpe	Taylor
Simpson	Thornton
Skiles	Turner
Smith of Bastrop	Vale
Smith of Atascosa	Walters
Spacek	Weatherford
Spangler	White
Stanford	Whitesides
Stinson	Winfree

Nays—1

Davis

Present—Not Voting

Dickson of Bexar

Absent

Bean	Howard
Bundy	Kelly
Burkett	Kinard
Crossley	Knight
Crosthwait	McAlister
Dove	Rampy
Evans	Ridgeway
Goodman	Voigt
Hardeman	Wattner
Hartzog	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

HOUSE BILL NO. 1079 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1079, A bill to be entitled "An Act providing that the Commissioners Courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, shall compute and fix the maximum annual salary to be paid an officer named in Section 13, of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officer's salary was based upon population under the laws existing on August 24, 1935, on the basis of the

population of said county, according to the last preceding Federal Census; provided that the Commissioners Courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1079 ON THIRD READING

Mr. Stanford moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1079 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99

Allen	Fitzgerald
Allison	Gandy
Alsup	Garland
Avant	Gilmer
Bailey	Hanna
Baker	Hargis
Bell	Harris of Dallas
Benton	Hartzog
Blankenship	Helpinstill
Boone	Henderson
Bray	Hileman
Brown	Hobbs
Bruhl	Howington
Bullock	Hoyo
Burnaman	Huddleston
Carlton	Huffman
Carrington	Hughes
Cato	Hutchinson
Cleveland	Isaacks
Coker	Kelly
Colson, Mrs.	Klingeman
Connelly	Knight
Craig	Lansberry
Deen	Lehman
Dickson of Bexar	Leyendecker
Donald	Little
Duckett	Lock
Dwyer	Love
Eubank	Lucas
Evans	Lyle
Ferguson	McDonald
Files	Markle

Martin	Simpson
Matthews	Skiles
Mills	Smith of Bastrop
Montgomery	Smith of Atascosa
Moore	Spacek
Morgan	Spangler
Morris	Stanford
Morse	Stinson
Pace	Stubbs
Phillips	Taylor
Price	Turner
Reed of Bowie	Vale
Reed of Dallas	Walters
Ridgeway	Wattner
Roark	Weatherford
Roberts	White
Senterfitt	Whitesides
Sharpe	Winfree

Nays—11

Davis	King
Dickson of Nolan	McGlasson
Ellis	McNamara
Halsey	Rhodes
Harris of Hill	Voigt
Jones	

Present—Not Voting

Fuchs	Rampy
-------	-------

Absent

Bean	Humphrey
Brawner	Kinard
Bridgers	Lowry
Bundy	McAlister
Burkett	McLellan
Chambers	McMurry
Clark	Manford
Crossley	Manning
Crosthwait	Murray
Dove	Parker
Goodman	Pevehouse
Hardeman	Sallas
Howard	Thornton

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Chair then laid House Bill No. 1079 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105

Allen	Avant
Allison	Bailey
Alsup	Baker

Bell	Lehman
Benton	Leyendecker
Boone	Little
Brawner	Lock
Bray	Love
Bridgers	Lucas
Brown	McDonald
Bruhl	McMurry
Bullock	Manning
Carlton	Markle
Carrington	Martin
Cato	Matthews
Cleveland	Mills
Coker	Montgomery
Colson, Mrs.	Moore
Connelly	Morgan
Craig	Morris
Crossley	Morse
Deen	Murray
Dickson of Bexar	Pace
Dove	Pevehouse
Duckett	Phillips
Dwyer	Price
Eubank	Reed of Bowie
Evans	Reed of Dallas
Ferguson	Ridgeway
Files	Roark
Fitzgerald	Roberts
Fuchs	Sallas
Gandy	Senterfitt
Gilmer	Sharpe
Halsey	Simpson
Hardeman	Skiles
Hargis	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Hartzog	Spacek
Helpinstill	Spangler
Henderson	Stanford
Hileman	Stinson
Hobbs	Stubbs
Howington	Taylor
Hoyo	Turner
Huffman	Vale
Hughes	Walters
Hutchinson	Wattner
Isaacks	Weatherford
Kelly	White
Klingeman	Whitesides
Knight	Winfree
Lansberry	

Nays—10

Davis	Jones
Dickson of Nolan	King
Ellis	McGlasson
Harris of Hill	McNamara
Huddleston	Rampy

Present—Not Voting

Garland	Rhodes
Hanna	

Absent

Bean	Humphrey
Blankenship	Kinard
Bundy	Lowry
Burkett	Lyle
Burnaman	McAlister
Chambers	McLellan
Clark	Manford
Crosthwait	Parker
Donald	Thornton
Goodman	Voigt
Howard	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

Mr. Stanford moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 354 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 354, A bill to be entitled "An Act to amend House Bill No. 205, Chapter 213, page 417, General and Special Laws, Acts of the 45th Legislature, Regular Session (1937), etc., pertaining to salaries of the County Board of School Trustees in certain counties; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 354 ON THIRD READING

Mr. Hoyo moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 354 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Baker
Allison	Bell
Alsup	Benton
Avant	Boone
Bailey	Bray

Bridgers

Brown
Bruhl
Bullock
Burkett
Burnaman
Carlton
Carrington
Cato
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Crossley
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Duckett
Ellis
Eubank
Evans
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kinard

Klingeman

Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
McDonald
McGlasson
McLellan
McMurry
Manford
Manning
Martin
Matthews
Mills
Montgomery
Moore
Morgan
Morris
Morse
Pace
Pevehouse
Price
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Sharpe
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Present—Not Voting

Rampy

Absent

Bean	Brawner
Blankenship	Bundy

Chambers	McAlister
Crosthwait	McNamara
Davis	Markle
Deen	Murray
Dwyer	Parker
Kelly	Phillips
King	Stinson
Lyle	Voigt

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Chair then laid Senate Bill No. 354 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—117

Allen	Garland
Allison	Gilmer
Alsup	Goodman
Avant	Halsey
Bailey	Hanna
Baker	Hardeman
Bell	Hargis
Benton	Harris of Dallas
Boone	Harris of Hill
Bray	Hartzog
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hileman
Bullock	Hobbs
Burkett	Howard
Burnaman	Howington
Carlton	Hoyo
Carrington	Huddleston
Cato	Huffman
Clark	Hughes
Cleveland	Humphrey
Coker	Hutchinson
Colson, Mrs.	Isaacks
Connelly	Jones
Craig	Kinard
Crossley	Klingeman
Dickson of Nolan	Knight
Donald	Lansberry
Dove	Lehman
Duckett	Leyendecker
Ellis	Little
Eubank	Lock
Evans	Love
Ferguson	Lowry
Files	Lucas
Fitzgerald	McDonald
Fuchs	McGlasson
Gandy	McLellan

McMurry	Senterfitt
Manford	Sharpe
Manning	Simpson
Martin	Skiles
Matthews	Smith of Bastrop
Mills	Smith of Atascosa
Montgomery	Spacek
Moore	Spangler
Morgan	Stanford
Morris	Stubbs
Morse	Taylor
Pace	Thornton
Pevehouse	Turner
Price	Vale
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	Weatherford
Rhodes	White
Roark	Whitesides
Roberts	Winfree
Sallas	

Present—Not Voting

Dickson of Bexar Rampy

Absent

Bean	King
Blankenship	Lyle
Brawner	McAlister
Bundy	McNamara
Chambers	Markle
Crosthwait	Murray
Davis	Parker
Deen	Phillips
Dwyer	Stinson
Kelly	Voigt

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

HOUSE BILL NO. 964 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 964, A bill to be entitled "An Act to appropriate money out of the State Treasury to pay a judgment against the State of Texas in the sum of \$1,000, with interest thereon at the rate of 6% from the 27th day of March, 1929, amounting to \$725.00, in favor of Dick Isbell in cause No. 6471 in the 7th District Court of Upshur County; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 964 ON THIRD READING

Mr. Baker moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 964 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allen	Henderson
Allison	Hileman
Alsup	Hobbs
Avant	Howington
Bailey	Hoyo
Baker	Huddleston
Bell	Huffman
Benton	Hughes
Blankenship	Humphrey
Boone	Hutchinson
Bridgers	Isaacks
Brown	Jones
Bruhl	Kelly
Bullock	Klingeman
Bundy	Knight
Burkett	Lansberry
Burnaman	Lehman
Carlton	Leyendecker
Carrington	Little
Cato	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	McAlister
Connelly	McDonald
Craig	McGlasson
Crossley	McMurry
Davis	McNamara
Dickson of Bexar	Manning
Dickson of Nolan	Markle
Dove	Martin
Duckett	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Ferguson	Morgan
Files	Morris
Fitzgerald	Morse
Fuchs	Murray
Gandy	Pace
Gilmer	Pevehouse
Halsey	Phillips
Hanna	Price
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Harris of Hill	Rhodes
Hartzog	Roberts
Helpinstill	Sallas

Senterfitt	Thornton
Sharpe	Turner
Simpson	Vale
Smith of Bastrop	Walters
Smith of Atascosa	Wattner
Spacek	Weatherford
Spangler	White
Stinson	Whitesides
Taylor	Winfree

Nays—2

Bray	Goodman
------	---------

Absent

Bean	Lyle
Brawner	McLellan
Chambers	Manford
Crosthwait	Parker
Deen	Rampy
Donald	Roark
Dwyer	Skiles
Garland	Stanford
Howard	Stubbs
Kinard	Voigt
King	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Chair then laid House Bill No. 964 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—116

Allen	Coker
Allison	Colson, Mrs.
Alsup	Connelly
Avant	Craig
Bailey	Crossley
Baker	Davis
Bell	Dickson of Bexar
Benton	Dickson of Nolan
Blankenship	Dove
Boone	Duckett
Bridgers	Ellis
Brown	Eubank
Bruhl	Evans
Bullock	Ferguson
Bundy	Files
Burkett	Fitzgerald
Burnaman	Fuchs
Carlton	Gandy
Carrington	Gilmer
Cato	Halsey
Clark	Hanna
Cleveland	Hardeman

Hargis	Matthews
Harris of Dallas	Mills
Harris of Hill	Montgomery
Hartzog	Moore
Helpinstill	Morgan
Henderson	Morris
Hileman	Morse
Hobbs	Murray
Howington	Pace
Hoyo	Pevehouse
Huddleston	Phillips
Huffman	Price
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Ridgeway
Isaacks	Rhodes
Jones	Roberts
Kelly	Sallas
Klingeman	Senterfitt
Knight	Sharpe
Lansberry	Simpson
Lehman	Smith of Bastrop
Leyendecker	Smith of Atascosa
Little	Spacek
Lock	Spangler
Love	Stinson
Lowry	Taylor
Lucas	Thornton
McAlister	Turner
McDonald	Vale
McGlasson	Walters
McMurry	Wattner
McNamara	Weatherford
Manning	White
Markie	Whitesides
Martin	Winfree

Nays—2

Bray	Goodman
------	---------

Absent

Bean	Lyle
Brawner	McLellan
Chambers	Manford
Crosthwait	Parker
Deen	Rampy
Donald	Roark
Dwyer	Skiles
Garland	Stanford
Howard	Stubbs
Kinard	Voigt
King	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

HOUSE BILL NO. 1019 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1019, A bill to be entitled "An Act validating consolidation of certain common school districts, independent school districts and consolidated independent school districts and county line school districts, wherein a majority of the voters of each of the affected districts approve such a consolidation at an election held for such purpose; providing, however, such validation shall not apply to districts now in litigation; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1019 ON
THIRD READING

Mr. Halsey moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1019 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Allen	Crossley
Allison	Davis
Alsup	Dickson of Bexar
Avant	Dickson of Nolan
Bailey	Dove
Baker	Duckett
Bell	Ellis
Benton	Eubank
Boone	Evans
Bray	Ferguson
Bridgers	Files
Brown	Fitzgerald
Bullock	Fuchs
Burnaman	Gandy
Carlton	Gilmer
Carrington	Goodman
Cato	Halsey
Chambers	Hanna
Cleveland	Hardeman
Coker	Hargis
Colson, Mrs.	Harris of Dallas
Connelly	Harris of Hill
Craig	Hartzog

Helpinstill	Montgomery	Yesa—118	
Henderson	Moore	Allen	Isaacks
Hileman	Morgan	Allison	Jones
Howard	Morris	Alsup	Kinard
Hobbs	Morse	Avant	Klingeman
Howington	Murray	Bailey	Knight
Hoyo	Pevehouse	Baker	Lansberry
Huddleston	Phillips	Bell	Lehman
Huffman	Price	Benton	Leyendecker
Hughes	Reed of Bowie	Boone	Little
Humphrey	Reed of Dallas	Bray	Lock
Hutchinson	Ridgeway	Bridgers	Love
Isaacks	Rhodes	Brown	Lowry
Jones	Roark	Bullock	Lucas
Kinard	Roberts	Burnaman	McAlister
Klingeman	Sallas	Carlton	McDonald
Knight	Senterfitt	Carrington	McGlasson
Lansberry	Sharpe	Cato	McMurry
Lehman	Skiles	Chambers	McNamara
Leyendecker	Smith of Bastrop	Clark	Manford
Little	Smith of Atascosa	Cleveland	Manning
Lock	Spacek	Coker	Markle
Love	Spangler	Colson, Mrs.	Martin
Lowry	Stanford	Connelly	Matthews
Lucas	Stinson	Craig	Mills
McAlister	Stubbs	Crossley	Montgomery
McDonald	Taylor	Davis	Moore
McGlasson	Thornton	Dickson of Bexar	Morgan
McMurry	Turner	Dickson of Nolan	Morris
McNamara	Vale	Dove	Morse
Manford	Walters	Duckett	Murray
Manning	Wattner	Ellis	Pevehouse
Markle	White	Eubank	Phillips
Martin	Whitesides	Evans	Price
Matthews	Winfree	Ferguson	Reed of Bowie
Mills		Files	Reed of Dallas
	Absent	Fitzgerald	Ridgeway
Bean	Garland	Fuchs	Rhodes
Blankenship	Kelly	Gandy	Roark
Brawner	King	Gilmer	Roberts
Bruhl	Lyle	Goodman	Sallas
Bundy	McLellan	Halsey	Senterfitt
Burkett	Pace	Hanna	Sharpe
Clark	Parker	Hardeman	Skiles
Crosthwait	Rampy	Hargis	Smith of Bastrop
Deen	Simpson	Harris of Dallas	Smith of Atascosa
Donald	Voigt	Harris of Hill	Spacek
Dwyer	Weatherford	Hartzog	Spangler
		Helpinstill	Stanford
	Absent—Excused	Henderson	Stinson
Celaya	Kersey	Hileman	Stubbs
Daniel	McCann	Hobbs	Taylor
Favors	Nicholson	Howard	Thornton
Heflin	Shell	Howington	Turner
		Hoyo	Vale
		Huddleston	Walters
		Huffman	Wattner
		Hughes	White
		Humphrey	Whitesides
		Hutchinson	Winfree

The Chair then laid House Bill No. 1019 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Absent		Yeas—116	
Bean	Kelly	Allen	Jones
Blankenship	King	Allison	Kinard
Brawner	Lyle	Alsup	Klingeman
Bruhl	McLellan	Avant	Knight
Bundy	Pace	Bailey	Lansberry
Burkett	Parker	Baker	Lehman
Crosthwait	Rampy	Bell	Leyendecker
Deen	Simpson	Benton	Little
Donald	Voigt	Boone	Lock
Dwyer	Weatherford	Bray	Love
Garland		Bridgers	Lowry
Absent—Excused		Brown	Lucas
Celaya	Kersey	Bullock	McAlister
Daniel	McCann	Burnaman	McDonald
Favors	Nicholson	Carlton	McGlasson
Heflin	Shell	Carrington	McMurry
HOUSE BILL NO. 1034 ON SECOND READING		Cato	McNamara
The Chair laid before the House, on its second reading and passage to engrossment,		Chambers	Manford
H. B. No. 1034, A bill to be en- titled "An Act authorizing the Com- missioners' Court of Yoakum County to improve and maintain public roads and highways heretofore laid out or constructed, and to construct public roads and highways hereafter laid out by the County, whether such public roads or highways are inside or outside of any incorporated city or town in such county; au- thorizing the issuance of time war- rants for such purposes; declaring that this Act shall be cumulative of all laws when not in conflict therewith, but in case of conflict this Act shall control; providing a saving clause; and declaring an emergency."		Cleveland	Manning
The bill was read second time and was passed to engrossment.		Coker	Markle
HOUSE BILL NO. 1034 ON THIRD READING		Colson, Mrs.	Martin
Mr. Halsey moved that the Con- stitutional Rule requiring bills to be read on three several days be sus- pended and that House Bill No. 1034 be placed on its third reading and final passage.		Connelly	Matthews
The motion prevailed by the fol- lowing vote:		Craig	Mills
		Crossley	Montgomery
		Davis	Moore
		Dickson of Bexar	Morgan
		Dickson of Nolan	Morris
		Dove	Morse
		Duckett	Murray
		Ellis	Pevehouse
		Eubank	Phillips
		Evans	Price
		Ferguson	Reed of Bowie
		Files	Reed of Dallas
		Fitzgerald	Ridgeway
		Fuchs	Rhodes
		Gandy	Roark
		Gilmer	Roberts
		Goodman	Sallas
		Halsey	Senterfitt
		Hanna	Sharpe
		Hardeman	Skiles
		Hargis	Smith of Bastrop
		Harris of Dallas	Smith of Atascosa
		Harris of Hill	Spacek
		Hartzog	Spangler
		Helpinstill	Stanford
		Henderson	Stinson
		Hileman	Stubbs
		Hobbs	Taylor
		Howington	Thornton
		Hoyo	Turner
		Huddleston	Vale
		Huffman	Walters
		Hughes	Wattner
		Humphrey	White
		Hutchinson	Whitesides
		Isaacks	Winfree

Absent

Bean	Howard
Blankenship	Kelly
Brawner	King
Bruhl	Lyle
Bundy	McLellan
Burkett	Pace
Clark	Parker
Crosthwait	Rampy
Deen	Simpson
Donald	Voigt
Dwyer	Weatherford
Garland	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Chair then laid House Bill No. 1034 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118

Allen	Files
Allison	Fitzgerald
Alsup	Fuchs
Avant	Gandy
Bailey	Gilmer
Baker	Goodman
Bell	Halsey
Benton	Hanna
Boone	Hardeman
Bray	Hargis
Bridgers	Harris of Dallas
Brown	Harris of Hill
Bullock	Hartzog
Burnaman	Helpinstill
Carlton	Henderson
Carrington	Hileman
Cato	Hobbs
Chambers	Howard
Clark	Howington
Cleveland	Hoyo
Coker	Huddleston
Colson, Mrs.	Huffman
Connelly	Hughes
Craig	Humphrey
Crossley	Hutchinson
Davis	Isaacks
Dickson of Bexar	Jones
Dickson of Nolan	Kinard
Dove	Klingeman
Duckett	Knight
Ellis	Lansberry
Eubank	Lehman
Evans	Leyendecker
Ferguson	Little

Lock	Reed of Dallas
Love	Ridgeway
Lowry	Rhodes
Lucas	Roark
McAlister	Roberts
McDonald	Sallas
McGlasson	Senterfitt
McMurry	Sharpe
McNamara	Skiles
Manford	Smith of Bastrop
Manning	Smith of Atascosa
Markle	Spacek
Martin	Spangler
Matthews	Stanford
Mills	Stinson
Montgomery	Stubbs
Moore	Taylor
Morgan	Thornton
Morris	Turner
Morse	Vale
Murray	Walters
Pevehouse	Wattner
Phillips	White
Price	Whitesides
Reed of Bowie	Winfree

Absent

Bean	Kelly
Blankenship	King
Brawner	Lyle
Bruhl	McLellan
Bundy	Pace
Burkett	Parker
Crosthwait	Rampy
Deen	Simpson
Donald	Voigt
Dwyer	Weatherford
Garland	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

HOUSE BILL NO. 1061 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1061, A bill to be entitled "An Act to amend Section One of Senate Bill No. 41, Acts of the Forty-second Legislature, Regular Session, approved May 5, 1931, being an Act defining Group Life Insurance; providing that no policy of Group Life Insurance shall be issued or delivered unless and until a copy of the form thereof has been filed

with the Life Insurance Commissioner and formally approved by him, stipulating the provisions which must be contained in such policy; providing the manner of paying the proceeds of any such insurance; providing the method of computing the reserves on such policies; prohibiting the issuance of any contract of Life Insurance covering a group except as provided by the provisions of the Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1061 ON THIRD READING

Mr. Ridgeway moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1061 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allen	Eubank
Allison	Evans
Alsup	Ferguson
Avant	Files
Bailey	Fitzgerald
Bell	Fuchs
Benton	Gandy
Boone	Garland
Bray	Gilmer
Bridgers	Goodman
Brown	Halsey
Bruhl	Hanna
Bullock	Hardeman
Bundy	Hargis
Burkett	Harris of Dallas
Burnaman	Harris of Hill
Carlton	Hartzog
Carrington	Helpinstill
Cato	Henderson
Clark	Howard
Cleveland	Howington
Coker	Hoyo
Colson, Mrs.	Huddleston
Connelly	Huffman
Craig	Hughes
Crossley	Humphrey
Davis	Hutchinson
Deen	Isaacks
Dickson of Bexar	Jones
Dickson of Nolan	Kelly
Dove	Kinard
Duckett	Klingeman
Ellis	Knight

Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
McDonald
McGlasson
McLellan
McMurry
McNamara
Manford
Manning
Markle
Martin
Matthews
Mills
Morgan
Morris
Morse
Pace
Parker
Pevehouse
Phillips
Price
Reed of Bowie

Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
White
Whitesides
Winfree

Nays—1

Murray

Present—Not Voting

Hileman

Absent

Baker	King
Bean	Lansberry
Blankenship	Lyle
Brawner	McAlister
Chambers	Montgomery
Crosthwait	Moore
Donald	Rampy
Dwyer	Sharpe
Hobbs	Weatherford

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Chair then laid House Bill No. 1061 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allen	Alsup
Allison	Avant

Bailey	Jones
Bell	Kelly
Benton	Kinard
Boone	Klingeman
Bray	Knight
Bridgers	Lehman
Brown	Leyendecker
Bruhl	Little
Bullock	Lock
Bundy	Love
Burkett	Lowry
Burnaman	Lucas
Carlton	McDonald
Carrington	McGlasson
Cato	McLellan
Clark	McMurry
Cleveland	McNamara
Coker	Manford
Colson, Mrs.	Manning
Connelly	Markle
Craig	Martin
Crossley	Matthews
Davis	Mills
Deen	Morgan
Dickson of Bexar	Morris
Dickson of Nolan	Morse
Dove	Pace
Duckett	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Rhodes
Gandy	Roark
Garland	Roberts
Gilmer	Sallas
Goodman	Senterfitt
Halsey	Simpson
Hanna	Skiles
Hardeman	Smith of Bastrop
Hargis	Smith of Atascosa
Harris of Dallas	Spacek
Harris of Hill	Spangler
Hartzog	Stanford
Helpinstill	Stinson
Henderson	Stubbs
Howard	Taylor
Howington	Thornton
Hoyo	Turner
Huddleston	Vale
Huffman	Voigt
Hughes	Walters
Humphrey	Wattner
Hutchinson	White
Isaacks	Whitesides
	Winfree

Nays—1

Murray

Present—Not Voting

Hileman

Absent

Baker	King
Bean	Lansberry
Blankenship	Lyle
Brawner	McAlister
Chambers	Montgomery
Crosthwait	Moore
Donald	Rampy
Dwyer	Sharpe
Hobbs	Weatherford

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

(Speaker in the Chair.)

HOUSE BILL NO. 86 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act to amend Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, page 1993, as amended by Acts of the 45th Legislature, 1937, Chapter 67, page 121, and as amended by Acts of the 46th Legislature, 1939, page 436, so as to make the Texas Unemployment Compensation Law conform to amendments made by the Congress of the United States in 1939 to the Federal Social Security Act, providing additional definitions of the term 'employment', providing for certain exceptions so that the term 'employment' will not include services performed in any calendar quarter by one in the employ of any organization exempt from the payment of income tax under Section 101 of the Internal Revenue Code, providing that the term 'employment' shall not include services performed by an individual as an insurance agent or as an insurance solicitor if such service is performed for remuneration solely by way of commission, providing that, if any portion of this Act shall be declared unconstitutional and invalid, the remain-

der shall not be affected thereby, and further, declaring an emergency."

The bill was read second time.

Mr. Walters offered the following committee amendment to the bill:

Amend House Bill No. 86 by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That Section 19, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 7, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 10, Chapter 2, Title: "Labor," General Laws, Forty-sixth Legislature, Regular Session be amended so as to read hereafter as follows:

"Definitions"

"Section 19. As used in this Act, unless the context clearly requires otherwise:

(a) (1) "Base period" means the first four (4) out of the last five (5) completed calendar quarters immediately preceding the first (1st) day of an individual's benefit year.

(2) "Calendar quarter" means the period of three (3) consecutive calendar months ending on March 31, June 30, September 30, or December 31, excluding, however, any calendar quarter or portion thereof which occurs prior to January 1, 1937, or the equivalent thereof as the Commission may by regulation prescribe.

(b) (1) "Benefits" means the money payments payable to an individual, as provided in this Act, with respect to his unemployment.

(2) "Benefit year," with respect to any individual, means the fifty-two-consecutive-week period beginning with the day on which the first valid claim for benefits is filed, and thereafter the fifty-two-consecutive-week period beginning with the day on which his next valid claim for benefits is filed after the termination of his last preceding benefit year.

(c) "Commission" means the Unemployment Compensation Commission established by this Act.

(d) "Contributions" means the money payments to the State Unemployment Compensation Fund required by this Act.

(e) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January 1, 1936, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all purposes of this Act. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this Act, whether such individual was hired or paid directly by such employing unit or by such agent or employee, provided the employing unit had actual or constructive knowledge of the work.

(f) "Employer" means

(1) Any employing unit which for some portion of a day but not necessarily simultaneously, in each of twenty (20) different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment eight (8) or more individuals (irrespective of whether the same individuals are or were employed in each such day);

(2) Any individual or employing unit which acquired the organization, trade, or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this Act;

(3) Any individual or employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit (not an employer subject to this Act) and which, if subsequent to such acquisition it were treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

(4) Any employing unit which together with one or more other

employing units, is owned or controlled (by legally enforceable means or otherwise) directly or indirectly by the same interest, or which owns or controls one or more other employing units (by legally enforceable means or otherwise), and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

(5) Any employing unit which, having become an employer under paragraph (1), (2), (3), or (4), has not, under Section 8, ceased to be an employer subject to this Act;

(6) For the effective period of its election pursuant to Section 8 (b) any other employing unit which has elected to become fully subject to this Act.

(g) (1) "Employment" means any service performed prior to April 1, 1941, which was employment as defined in this section prior to such date, and subject to the provisions of this subsection, services performed on and after April 1, 1941, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, express or implied, provided that any services performed by an individual for wages shall be deemed to be employment subject to this Act unless and until it is shown to the satisfaction of the Commission that such individual has been and will continue to be free from control or direction over the performance of such services both under his contract of service and in fact.

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if:

(A) The service is localized in this State; or

(B) The service is not localized in any State but some of the service is performed in this State and (i) the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed but the individual's residence is in this State.

(3) (A) Service not covered

under paragraph (2) of this subsection and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State, shall be deemed to be employment subject to this Act if the individual performing such services is a resident of this State and the Commission approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this Act.

(B) Services covered by reciprocal agreements authorized by this Act between the Commission and the agency charged with the administration of any other State or Federal unemployment compensation law, pursuant to which all services performed by an individual for an employing unit are deemed to be performed entirely within this State, shall be deemed to be employment, if the Commission has approved an election of the employing unit for whom such services were performed pursuant to which the entire service of such individual during the period covered by such election is deemed to be employment subject to this Act.

(4) Service shall be deemed to be localized within a State, if:

(A) The service is performed entirely within such State; or

(B) The service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(5) The term "employment" shall not include:

(A) Service performed in the employ of the State, or of any political subdivision thereof, or of any instrumentality of this State or its political subdivisions;

(B) Service with respect to which unemployment compensation is payable under an Unemployment Compensation System established by an Act of Congress; provided that the Commission is hereby authorized to enter into agreements with the proper agencies under such Act of Congress, which agreements shall become effective ten (10) days after

publication thereof in the manner provided in Section 11 (b) of this Act for general rules, to provide reciprocal treatment to individuals who have, after acquiring potential rights to benefits under this Act, acquired rights to unemployment compensation under such Act of Congress, or who have, after acquiring potential rights to unemployment compensation under such Act of Congress, acquired rights to benefit under this Act;

(C) Agricultural labor;

(D) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

(E) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;

(F) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one (21) years in the employ of his father or mother;

(G) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation.

(H) Service performed in any calendar quarter in the employ of any organization exempt from income tax under Section 101 of the Internal Revenue Code, if (i) the remuneration for such service does not exceed Forty-five (\$45.00) Dollars, or (ii) such service is in connection with the collection of dues or premiums for a fraternal beneficiary society, order, or association, and is performed away from the Home Office, or is ritualistic service in connection with any such society, order or association, or (iii) such service is performed by a student who is enrolled and is regularly attending classes at a school, college, or university;

(I) Service performed in the employ of this State or of any other

State, or of any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned by this State or by one or more States or political subdivisions; and any service performed in the employ of any instrumentality of this State or of one or more States or political subdivisions to the extent that the instrumentality is with respect to such service, except under the Constitution of the United States from the tax imposed by Section 1600 of the Federal Internal Revenue Code;

(J) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (i) no part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (ii) eighty-five (85%) per cent or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

(K) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents or their designated beneficiaries, if (i) admission to membership in such association is limited to individuals who are officers or employees of the United States Government, and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual;

(L) Service performed in any calendar quarter in the employ of a school, college, or university, not exempt from income tax under Section 101 of the Federal Internal Revenue Code, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university, and the remuneration for such service does not exceed Forty-five (\$45.00) Dollars (exclusive of room, board, and tuition);

(M) Service performed in the employ of a foreign government (including wages as a consular or other

officer or employee, or a non-diplomatic representative);

(N) Service performed in the employ of an instrumentality wholly owned by a foreign government (i) if the service is of a character similar to that performed in foreign countries by the employees of the United States Government or of an instrumentality thereof; and (ii) if the Commission finds that the United States Secretary of State has certified to the United States Secretary of the Treasury that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar services performed in the foreign country by employees of the United States government and of instrumentalities thereof;

(O) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to State law; and service performed as an interne in the employ of a hospital by an individual who has completed a four (4) year course in a medical school chartered or approved pursuant to State law;

(P) Service performed by an individual for a person as an insurance agent or as an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commission;

(Q) Service performed by an individual under the age of eighteen (18) in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

(R) Service covered by an arrangement between the Commission and the agency charged with the administration of any other State or Federal unemployment compensation law pursuant to which all services performed by an individual for an employing unit during the period covered by such employing unit's duly approved election, are deemed to be performed entirely within such agency's State or under such Federal law.

(6) Included and Excluded Service: If the services performed dur-

ing one-half ($\frac{1}{2}$) or more of any pay period by an individual for the person employing him constitute employment, all the services of such individual for such period shall be deemed to be employment; but if the services performed during more than one-half ($\frac{1}{2}$) of any such pay period by an individual for the person employing him do not constitute employment, then none of the services of such individual for such period shall be deemed to be employment. As used in this subsection the term "pay period" means a period (of not more than thirty-one (31) consecutive days) for which a payment of remuneration is ordinarily made to the individual by the person employing him. This subsection shall not be applicable with respect to services performed in any pay period by an individual for the person employing him, where any of such service is excepted by Section 19 (g) (5) (B).

(h) "Employment office" means a free public employment office, or branch thereof, operated by this State or maintained as a part of a State controlled system of public employment offices.

(i) "Fund" means the Unemployment Compensation Fund established by this Act, to which all contributions required and from which all benefits provided under this Act shall be paid.

(j) "Partial Unemployment": An individual shall be deemed "partially unemployed" in any benefit period of less than full-time work if his wages payable for such benefit period fail to equal Four Dollars (\$4.00) more than the benefit amount he would be entitled to receive if totally unemployed and eligible.

(k) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia.

(l) "Total Unemployment": An individual shall be deemed "totally unemployed" in any benefit period during which he performs no services and with respect to which no wages are payable to him. An individual's benefit period of total unemployment shall be deemed to commence only after his registration pursuant to Section 4 (a) of this Act. As used in this Subsection (1) and Subsection (j), the term

"wages" shall include only that part of remuneration for odd jobs or subsidiary work, or both, which is in excess of Six Dollars (\$6.00) in any one benefit period, and the term "services" shall not include that part of odd jobs or subsidiary work, or both, for which remuneration equal to or less than Six Dollars (\$6.00) in any one benefit period is payable.

(m) "Unemployment Compensation Administration Fund" means the Unemployment Compensation Administration Fund established by this Act, from which administrative expenses under this Act shall be paid.

(n) "Valid Claim" means a claim for benefits by an individual who has earned qualifying wages as provided in Section 4 (d) of this Act.

(o) "Wages"—the term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash: except that after April 1, 1941, such term shall not include:

(1) That part of remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year;

(2) The amount of any payment made to, or on behalf of, an employee under a plan or system established by an employer which makes provision for his employees generally or for a class or classes of his employees (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), on account of (A) retirement, or (B) sickness or accident disability, or (C) medical and hospitalization expenses in connection with sickness or accident disability, or (D) death, provided the employee (i) has not the option to receive, instead of provision for such death benefit, any part of such payment, or, if such death benefit is insured, any part of the premiums (or contributions to premiums) paid by his employer, and (ii) has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit, or to receive a cash consideration in lieu of such

benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer;

(3) The payment by an employer (without deduction from the remuneration of the employee) (A) of the tax imposed upon an employee under Section 1400 of the Internal Revenue Code or (B) of any payment required from an employee under a State unemployment compensation law; or

(4) Dismissal payments which the employer is not legally required to make.

(p) "Week" means such period of seven (7) consecutive calendar days as the Commission may prescribe.

(q) "Benefit amount": An individual's "benefit amount" means the amount of benefits he would be entitled to receive for one benefit period of total unemployment.

(r) "Benefit Period": An individual's "benefit period" means such period of fourteen (14) consecutive calendar days as the Commission may by regulation prescribe."

Sec. 2. The provisions of this Act shall repeal all parts of Chapter 482, General and Special Laws, Forty-fourth Legislature, Third Called Session, as amended by Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Chapter 2, Title "Labor," General Laws, Forty-sixth Legislature, Regular Session, in conflict herewith, and all laws or parts of laws in conflict herewith, but shall in no way be construed as forfeiting or waiving any rights of the State of Texas or the Texas Unemployment Compensation Commission, including without limiting the foregoing, the right to collect contributions, interest or penalties that have accrued under said Chapter, and the right of prosecution for violating any provision thereof.

Sec. 3. The fact that the Texas Unemployment Compensation Act covering the matters embraced in the preceding section has certain inequities and certain ambiguities, and the importance of this legislation, create an emergency and an imperative public necessity that the Con-

stitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 86 was then passed to engrossment.

HOUSE BILL NO. 86 ON THIRD READING

Mr. Walters moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allen	Donald
Allison	Duckett
Alsup	Ellis
Avant	Eubank
Bailey	Evans
Baker	Ferguson
Benton	Files
Blankenship	Fitzgerald
Boone	Fuchs
Brawner	Gandy
Bray	Garland
Bridgers	Gilmer
Brown	Halsey
Bruhl	Hanna
Bullock	Hardeman
Bundy	Hargis
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Carrington	Hartzog
Cato	Helpinstill
Clark	Henderson
Cleveland	Hileman
Coker	Hobbs
Colson, Mrs.	Howington
Connelly	Hoyo
Craig	Huddleston
Crossley	Huffman
Davis	Hughes
Deen	Humphrey
Dickson of Bexar	Hutchinson
Dickson of Nolan	Jones

Klingeman
Knight
Lehman
Leyendecker
Little
Lock
Love
Lucas
Lyle
McAllister
McDonald
McGlasson
McLellan
McMurry
McNamara
Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Morgan
Morris
Morse
Murray
Pace
Parker
Pevehouse

Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—1

Lowry

Absent

Bean	Isaacks
Bell	Kelly
Burkett	Kinard
Chambers	King
Crosthwait	Lansberry
Dove	Moore
Dwyer	Phillips
Goodman	Sharpe
Howard	Voigt

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Speaker then laid House Bill No. 86 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—120

Allen	Avant
Allison	Bailey
Alsup	Baker

Benton	Knight
Blankenship	Lehman
Boone	Leyendecker
Brawner	Little
Bray	Lock
Bridgers	Love
Brown	Lucas
Bruhl	Lyle
Bullock	McAlister
Bundy	McDonald
Burnaman	McGlasson
Carlton	McLellan
Carrington	McMurry
Cato	McNamara
Clark	Manford
Cleveland	Manning
Coker	Markle
Colson, Mrs.	Martin
Connelly	Matthews
Craig	Mills
Crossley	Montgomery
Davis	Morgan
Deen	Morris
Dickson of Bexar	Morse
Dickson of Nolan	Murray
Donald	Pace
Duckett	Parker
Ellis	Pevehouse
Eubank	Price
Evans	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Rhodes
Gandy	Roark
Garland	Roberts
Gilmer	Sallas
Halsey	Senterfitt
Hanna	Simpson
Hardeman	Skiles
Hargis	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Harris of Hill	Spacek
Hartzog	Spangler
Helpinstill	Stanford
Henderson	Stinson
Hileman	Stubbs
Hobbs	Taylor
Howington	Thornton
Hoyo	Turner
Huddleston	Vale
Huffman	Walters
Hughes	Wattner
Humphrey	Weatherford
Hutchinson	White
Jones	Whitesides
Klingeman	Winfree

Nays—1

Lowry

Absent

Bean	Isaacks
Bell	Kelly
Burkett	Kinard
Chambers	King
Crosthwait	Lansberry
Dove	Moore
Dwyer	Phillips
Goodman	Sharpe
Howard	Voigt

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

HOUSE BILL NO. 603 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 603, A bill to be entitled "An Act providing for an appeal directly to the Supreme Court of Texas from any order of any district court of this State granting or denying any interlocutory or permanent injunction on the ground of the constitutionality or unconstitutionality of any statute of this State, or on the validity or invalidity of any administrative order issued by any State agency under any statute of this State."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 603 ON
THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 603 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Allen	Bell
Allison	Benton
Alsup	Boone
Avant	Brawner
Bailey	Bray
Baker	Bridgers

Brown	Knight
Bruhl	Lehman
Bullock	Leyendecker
Bundy	Little
Burnaman	Lock
Carlton	Love
Carrington	Lowry
Cato	Lucas
Chambers	McAlister
Clark	McDonald
Cleveland	McGlasson
Coker	McLellan
Colson, Mrs.	McMurry
Connelly	McNamara
Craig	Manford
Crossley	Manning
Davis	Markle
Deen	Martin
Dickson of Bexar	Matthews
Dickson of Nolan	Mills
Donald	Montgomery
Dove	Moore
Duckett	Morgan
Ellis	Morris
Eubank	Morse
Evans	Murray
Ferguson	Pace
Files	Pevehouse
Fitzgerald	Phillips
Fuchs	Price
Gandy	Rampy
Garland	Reed of Bowie
Gilmer	Reed of Dallas
Goodman	Ridgeway
Halsey	Rhodes
Hanna	Roark
Hardeman	Roberts
Hargis	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Skiles
Hartzog	Smith of Bastrop
Helpinstill	Smith of Atascosa
Henderson	Spacek
Hileman	Spangler
Hobbs	Stanford
Howington	Stinson
Hoyo	Stubbs
Huddleston	Taylor
Huffman	Thornton
Hughes	Turner
Humphrey	Vale
Hutchinson	Wattner
Isaacks	Weatherford
Jones	White
Kelly	Whitesides
Kennedy	Winfree
Klingeman	

Absent

Bean	Crothwait
Blankenship	Dwyer
Burkett	Howard

Kinard	Sharpe
King	Simpson
Lansberry	Voigt
Lyle	Walters
Parker	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Speaker then laid House Bill No. 603 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—125

Allen	Gandy
Allison	Garland
Alsup	Gilmer
Avant	Goodman
Bailey	Halsey
Baker	Hanna
Bell	Hardeman
Benton	Hargis
Boone	Harris of Dallas
Brawner	Harris of Hill
Bray	Hartzog
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hileman
Bullock	Hobbs
Bundy	Howington
Burnaman	Hoyo
Carlton	Huddleston
Carrington	Huffman
Cato	Hughes
Chambers	Humphrey
Clark	Hutchinson
Cleveland	Isaacks
Coker	Jones
Colson, Mrs.	Kelly
Connelly	Kennedy
Craig	Klingeman
Crossley	Knight
Davis	Lehman
Deen	Leyendecker
Dickson of Bexar	Little
Dickson of Nolan	Lock
Donald	Love
Dove	Lowry
Duckett	Lucas
Ellis	McAlister
Eubank	McDonald
Evans	McGlasson
Ferguson	McLellan
Files	McMurry
Fitzgerald	McNamara
Fuchs	Manford

Manning	Roberts
Markle	Sallas
Martin	Senterfitt
Matthews	Skiles
Mills	Smith of Bastrop
Montgomery	Smith of Atascosa
Moore	Spacek
Morgan	Spangler
Morris	Stanford
Morse	Stinson
Murray	Stubbs
Pace	Taylor
Pevehouse	Thornton
Phillips	Turner
Price	Vale
Rampy	Wattner
Reed of Bowie	Weatherford
Reed of Dallas	White
Ridgeway	Whitesides
Rhodes	Winfree
Roark	

Absent

Bean	Lansberry
Blankenship	Lyle
Burkett	Parker
Crosthwait	Sharpe
Dwyer	Simpson
Howard	Voigt
Kinard	Walters
King	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Hefin	Shell

**HOUSE BILL NO. 626 ON
SECOND READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 626, A bill to be entitled "An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations, and undertakings of such housing authorities, and all proceedings, acts, and things heretofore undertaken, performed or done with reference thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 626 ON
THIRD READING**

Mr. Hughes moved that the Constitutional Rule requiring bills to be

read on three several days be suspended and that House Bill No. 626 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Allen	Hoyo
Allison	Huddleston
Alsup	Huffman
Avant	Hughes
Bailey	Humphrey
Baker	Hutchinson
Benton	Isaacks
Blankenship	Jones
Boone	Kelly
Brawner	Kennedy
Bray	King
Bridgers	Klingeman
Brown	Lansberry
Bullock	Lehman
Bundy	Leyendecker
Burnaman	Little
Carlton	Lock
Carrington	Love
Cato	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McDonald
Connelly	McGlasson
Craig	McNamara
Davis	Manford
Deen	Manning
Dickson of Bexar	Markle
Dickson of Nolan	Martin
Donald	Matthews
Dove	Mills
Duckett	Montgomery
Ellis	Moore
Eubank	Morgan
Evans	Morse
Ferguson	Murray
Files	Pace
Fitzgerald	Parker
Fuchs	Pevehouse
Gandy	Phillips
Garland	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Helpinstill	Simpson
Henderson	Skiles
Howard	Smith of Bastrop
Howington	Smith of Atascosa

Spacek
Spangler
Stanford
Stinson
Stubbs
Taylor
Thornton

Turner
Vale
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Bean
Bell
Bruhl
Burkett
Chambers
Crossley
Crosthwait
Dwyer
Hileman

Hobbs
Kinard
Knight
McLellan
McMurry
Morris
Sharpe
Voigt
Walters

Absent—Excused

Celaya
Daniel
Favors
Heflin

Kersey
McCann
Nicholson
Shell

The Speaker then laid House Bill No. 626 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123

Allen
Allison
Alsup
Avant
Bailey
Baker
Benton
Blankenship
Boone
Brawner
Bray
Bridgers
Brown
Bullock
Bundy
Burnaman
Carlton
Carrington
Cato
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Davis
Deen
Dickson of Bexar
Dickson of Nolan

Donald
Dove
Duckett
Ellis
Eubank
Evans
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Helpinstill
Henderson
Howard
Howington
Hoyo
Huddleston
Huffman
Hughes

Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kinard
King
Klingeman
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McDonald
McGlasson
McNamara
Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Moore
Morgan
Morse
Murray

Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Bean
Bell
Bruhl
Burkett
Chambers
Crossley
Crosthwait
Dwyer
Hileman

Hobbs
Knight
McLellan
McMurry
Morris
Sharpe
Voigt
Walters

Absent—Excused

Celaya
Daniel
Favors
Heflin

Kersey
McCann
Nicholson
Shell

HOUSE BILL NO. 1075 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1075, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended by Chapter

135, Acts of the Regular Session of the Forty-first Legislature, as amended by Chapter 82, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 485, Acts of the Regular Session of the Forty-fifth Legislature; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1075 ON THIRD READING

Mr. Dove moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1075 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allen	Files
Allison	Fuchs
Alsup	Garland
Avant	Gilmer
Bailey	Goodman
Baker	Hanna
Benton	Hardeman
Blankenship	Hargis
Boone	Harris of Dallas
Brawner	Harris of Hill
Bray	Hartzog
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hobbs
Bullock	Howard
Bundy	Hoyo
Burnaman	Huddleston
Carlton	Huffman
Carrington	Hughes
Cato	Humphrey
Clark	Hutchinson
Cleveland	Isaacks
Coker	Jones
Colson, Mrs.	Kennedy
Connelly	Kinard
Crossley	King
Crosthwait	Knight
Davis	Lansberry
Deen	Lehman
Dickson of Bexar	Leyendecker
Dickson of Nolan	Little
Donald	Lock
Dove	Love
Duckett	Lowry
Ellis	Lucas
Eubank	McAlister
Evans	McDonald
Ferguson	McGlasson

McLellan	Roberts
McMurry	Sallas
McNamara	Senterfitt
Manford	Simpson
Manning	Skiles
Markle	Smith of Bastrop
Martin	Smith of Atascosa
Matthews	Spacek
Mills	Spangler
Montgomery	Stanford
Moore	Stinson
Morgan	Stubbs
Morse	Taylor
Murray	Thornton
Pevehouse	Turner
Price	Vale
Rampy	Wattner
Reed of Bowie	Weatherford
Reed of Dallas	White
Ridgeway	Whitesides
Rhodes	Winfree
Roark	

Nays—4

Craig	Howington
Fitzgerald	Klingeman

Absent

Bean	Lyle
Bell	Morris
Burkett	Pace
Chambers	Parker
Dwyer	Phillips
Gandy	Sharpe
Halsey	Voigt
Hileman	Walters
Kelly	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Speaker then laid House Bill No. 1075 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allen	Bray
Allison	Bridgers
Alsup	Brown
Avant	Bruhl
Bailey	Bullock
Baker	Bundy
Benton	Burnaman
Blankenship	Carlton
Boone	Carrington
Brawner	Cato

Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	McAlister
Connelly	McDonald
Crossley	McGlasson
Crosthwait	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Dickson of Nolan	Manning
Donald	Markle
Dove	Martin
Duckett	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Ferguson	Morgan
Files	Morse
Fuchs	Murray
Garland	Pevehouse
Gilmer	Price
Goodman	Rampy
Hanna	Reed of Bowie
Hardeman	Reed of Dallas
Hargis	Ridgeway
Harris of Dallas	Rhodes
Harris of Hill	Roark
Hartzog	Roberts
Helpinstill	Sallas
Henderson	Senterfitt
Hobbs	Simpson
Howard	Skiles
Hoyo	Smith of Bastrop
Huddleston	Smith of Atascosa
Huffman	Spacek
Hughes	Spangler
Humphrey	Stanford
Hutchinson	Stinson
Isaacks	Stubbs
Jones	Taylor
Kennedy	Thornton
Kinard	Turner
King	Vale
Knight	Wattner
Lansberry	Weatherford
Lehman	White
Leyendecker	Whitesides
Little	Winfree
Lock	

Nays—4

Craig	Howington
Fitzgerald	Klingeman

Absent

Bean	Halsey
Bell	Hileman
Burkett	Kelly
Chambers	Lyle
Dwyer	Morris
Gandy	Pace

Parker	Voigt
Phillips	Walters
Sharpe	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

HOUSE BILL NO. 1064 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1064, A bill to be entitled "An Act to amend Section 2 of Chapter 11 of Subdivision III, Water Improvement Districts, Acts of the 46th Legislature, Regular Session (House Bill No. 594, approved April 18, 1939, and effective the same date) so as to provide for dividing Water Improvement Districts organized or operated under Chapter 2 of Title 128, Revised Civil Statutes of Texas of 1925, when such Districts are operated under contract with the Department of the Interior of the Government of the United States, into divisions for the election of Directors thereof; validating and confirming all orders heretofore made by the Board of Directors of such Districts, dividing said Districts into divisions, and validating and confirming all elections heretofore held for Directors for each of such divisions; requiring Directors thereof to be owners of land subject to taxation in the division from which they are elected; providing for the election of such Directors by the vote of the qualified electors of the whole Water Improvement District; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1064 ON
THIRD READING

Mr. Isaacks moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1064 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109		Present—Not Voting	
Allen	Hutchinson	McLellan	
Allison	Isaacks		
Alsup	Kelly		Absent
Avant	Kennedy	Brawner	McDonald
Bailey	King	Burkett	McGlasson
Baker	Knight	Carlton	McNamara
Bean	Lehman	Crossley	Martin
Bell	Leyendecker	Deen	Sharpe
Benton	Little	Dove	Skiles
Blankenship	Lock	Dwyer	Spangler
Bridgers	Love	Garland	Stanford
Brown	Lowry	Hartzog	Voigt
Bruhl	Lucas	Kinard	Walters
Bullock	McAlister	Lyle	
Bundy	McMurry		
Burnaman	Manford		Absent—Excused
Carrington	Manning	Celaya	Kersey
Cato	Matthews	Daniel	McCann
Chambers	Mills	Favors	Nicholson
Clark	Montgomery	Heflin	Shell
Cleveland	Moore		
Coker	Morgan	The Speaker then laid House Bill No. 1064 before the House on third reading and final passage.	
Colson, Mrs.	Morris		
Connelly	Morse	The bill was read third time and was passed by the following vote:	
Crosthwait	Murray		
Davis	Pace	Yeas—109	
Dickson of Bexar	Parker	Allen	Evans
Donald	Pevehouse	Allison	Ferguson
Duckett	Phillips	Alsup	Files
Ellis	Price	Avant	Fitzgerald
Eubank	Rampy	Bailey	Fuchs
Evans	Reed of Bowie	Baker	Gandy
Ferguson	Reed of Dallas	Bean	Gilmer
Files	Ridgeway	Bell	Halsey
Fitzgerald	Rhodes	Benton	Hanna
Fuchs	Roark	Blankenship	Hardeman
Gandy	Roberts	Bridgers	Hargis
Gilmer	Sallas	Brown	Harris of Dallas
Halsey	Senterfitt	Bruhl	Harris of Hill
Hanna	Simpson	Bullock	Helpinstill
Hardeman	Smith of Bastrop	Bundy	Henderson
Hargis	Smith of Atascosa	Burnaman	Hileman
Harris of Dallas	Spacek	Carrington	Hobbs
Harris of Hill	Stinson	Cato	Howard
Helpinstill	Stubbs	Chambers	Howington
Henderson	Taylor	Clark	Hoyo
Hileman	Thornton	Cleveland	Huddleston
Hobbs	Turner	Coker	Huffman
Howard	Vale	Colson, Mrs.	Hughes
Howington	Wattner	Connelly	Humphrey
Hoyo	Weatherford	Crosthwait	Hutchinson
Huddleston	White	Davis	Isaacks
Huffman	Whitesides	Dickson of Bexar	Kelly
Hughes	Winfree	Donald	Kennedy
Humphrey		Duckett	King
		Ellis	Knight
		Eubank	Lehman
Nays—9			
Boone	Jones		
Bray	Klingeman		
Craig	Lansberry		
Dickson of Nolan	Markle		
Goodman			

Leyendecker	Reed of Bowie
Little	Reed of Dallas
Lock	Ridgeway
Love	Rhodes
Lowry	Roark
Lucas	Roberts
McAlister	Sallas
McMurry	Senterfitt
Manford	Simpson
Manning	Smith of Bastrop
Matthews	Smith of Atascosa
Mills	Spacek
Montgomery	Stinson
Moore	Stubbs
Morgan	Taylor
Morris	Thornton
Morse	Turner
Murray	Vale
Pace	Wattner
Parker	Weatherford
Pevehouse	White
Phillips	Whitesides
Price	Winfree
Rampy	

Nays—9

Boone	Jones
Bray	Klingeman
Craig	Lansberry
Dickson of Nolan	Markle
Goodman	

Present—Not Voting

McLellan

Absent

Brawner	McDonald
Burkett	McGlasson
Carlton	McNamara
Crossley	Martin
Deen	Sharpe
Dove	Skiles
Dwyer	Spangler
Garland	Stanford
Hartzog	Voigt
Kinard	Walters
Lyle	

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

SENATE BILL NO. 125 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 125, A bill to be entitled "An Act to amend Title 69 of the

Revised Civil Statutes of Texas, 1925, by amending Articles 4113, 4114, 4116 and 4117 of Chapter 2 of said Title 69, relating to the commencement of proceedings for the appointment of guardians of the persons and estates of minors, persons of unsound mind, etc., and declaring an emergency."

The bill was read second time.

Mr. Hoyo offered the following amendment to the bill:

Amend Senate Bill No. 125 by striking out everything below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Articles 4113, 4114, 4116 and 4117 of Chapter 2, Title 69 of the Revised Civil Statutes of Texas, 1925, be amended so as to read hereafter as following:

"Article 4113. A proceeding for the appointment of a guardian shall be begun by written application filed in the County Court of the County having jurisdiction thereof. Any person may make such application. Such application shall state:

1. The name, sex, age and residence of the person for whom the appointment of a guardian is sought.

2. The estate of such person, if any, and the probable value thereof.

3. If the application is for the appointment of a guardian for an adult person or his estate or both, then such application shall allege whether or not such person has been adjudged to be a person of unsound mind or an habitual drunkard, and if so, the time when and the Court by which such adjudication was had.

4. Such other facts as show the jurisdiction of the Court."

"Article 4114. Upon the filing of such application, the Clerk shall issue a notice setting forth that such application has been filed for the guardianship of the person or estate or both, as the case may be; of the person for whom such guardian is sought, naming such person, and by whom filed; which notice shall cite all persons interested in the welfare of such person to appear at the time and place stated therein, and contest such application if they see proper."

"Article 4116. (1) In addition to posting notice as provided in Article 4115, Revised Civil Statutes of 1925,

as amended by Chapter 254, Acts of 1935, minors fourteen (14) years of age or over, persons alleged to be of unsound mind or habitual drunkards, and persons for whom or for whose estates it is alleged to be necessary to have a guardian appointed to receive funds from the State and/or the Federal Government, shall be personally served with citations to appear and answer such application, unless within six (6) months prior to filing such application the adult person, for whom or for whose estate such guardian is sought, shall have been adjudicated by a Court of competent jurisdiction in this State, after due notice, to be a person of unsound mind or an habitual drunkard.

(2) Minors over fourteen (14) years of age may, by writing filed with the Clerk, waive the issuance and personal service of such citation, and make choice of a guardian, subject to the Court's approval of such choice.

(3) If a minor or other person for whose estate the appointment of a guardian is sought, be a resident of but absent from this State, or be a non-resident of this State, the personal service of citation on such person as provided by paragraph (1) hereof, together with a certified copy of the application for such appointment, shall be made in the manner prescribed by Article 2038, Revised Civil Statutes, 1925, for service of the notice therein mentioned, by the persons therein authorized, and return made as therein prescribed; provided, however, that the return day for citation served without this State shall be the first Monday after the expiration of thirty (30) days after the date of service thereof without this State."

"Article 4117. Whenever it comes to the knowledge of the County Judge that any person whose legal domicile is in his County, or who may be found therein, is a minor, a person of unsound mind or habitual drunkard, and is without a guardian of his person or of his estate within this State, and there is probable cause for the exercise of his jurisdiction, he may cause proper proceedings to be commenced and application made as provided in Article 4113, as

amended, for the appointment of a guardian of the person and of such estate, or either; but this Article as amended shall not be construed to repeal or modify Article 4113. Upon the filing of application, process shall be issued and served as provided by Articles 4114, 4115, and 4116 of this Chapter. The return day thereof shall be determined, and shown therein, as provided by Chapter 48, Acts of the First Called Session of the 41st Legislature, as amended by Chapter 123 of the 42nd Legislature (Article 3110 (a) Vernon's Texas Statutes)."

Sec. 2. That Articles 4121, 4122 and 4123 of Chapter 3, Title 69 of the Revised Civil Statutes of Texas, 1925, be amended so as to read hereafter as follows:

"Article 4121. Persons Entitled to Guardianship—In the case of a person of unsound mind or an habitual drunkard, or a person for whom it is necessary to have a guardian appointed to receive funds or money due from the State and/or Federal Government, the nearest of kin to such person, who is not disqualified, shall be entitled to the guardianship. Where two or more are equally entitled, the guardianship shall be given to one or the other, according to the circumstances, taking into consideration the interest of the ward alone. If such ward have a husband or wife who is not disqualified, such husband or wife shall be entitled to the guardianship in preference to any other person."

"Article 4122. The following persons shall not be appointed guardians:

1. Minors, except the father or mother.
2. Persons whose conduct is notoriously bad.
3. Persons of unsound mind.
4. Habitual drunkards.
5. Those who are, themselves, or whose father or mother are, parties to a lawsuit on the result of which the condition of the minor, person of unsound mind or habitual drunkard, or part of his fortune may depend.
6. Those who are debtors to the minor, persons of unsound mind or habitual drunkards, unless they discharge the debt prior to such appointment, or who are asserting claim to any property, real or personal, adverse to the person for whom or

whose estate the appointment is sought.

7. Those who are unable to read and write the English language.

8. Those who by reason of inexperience or lack of education, or for other good reason, are shown to be incapable of properly and prudently managing and controlling the ward or his estate."

"Article 4123. At a regular term of the Court, after the issuance and service of process as required by law, the Court may proceed to the appointment of a guardian. Before appointing a guardian, the court must be satisfied:

1. That the person for whom a guardian is sought to be appointed is either a minor, a person of unsound mind, an habitual drunkard, or a person for whom it is necessary to have a guardian appointed to receive funds or money due such person from the State and/or Federal Government.

2. That the Court has jurisdiction of the case.

3. That the person to be appointed guardian is not disqualified to act as such, and is entitled thereto; or, in case no person who is entitled thereto applies therefor, that the person appointed is a proper person to act as such guardian.

4. That the rights of persons or property are to be protected. All issues herein shall be determined by the Court on hearing, unless a jury is demanded; but it shall not be a prerequisite to such appointment that there has been a jury trial, verdict and judgment that the person is of unsound mind, or is an habitual drunkard, nor is such person required to be present at the trial.

5. If within six (6) months prior to the filing of application for the appointment of a guardian of the estate of a person alleged to be of unsound mind or an habitual drunkard, such person by appropriate proceedings in a Court of competent jurisdiction in another State or territory of the United States, or of the District of Columbia, after personal service of process therein within such other jurisdiction, has been adjudged therein to be a person of unsound mind or habitual drunkard, the Court may appoint a guardian of such person's estate situated within this State, after issuance and service of

notice as required by Articles 4114, 4115, and 4116, as amended, the same as if such person had been adjudged by a Court of this State to be a person of unsound mind or an habitual drunkard.

6. If the legal domicile of such person be in this State, or if he shall have been served within this State with citation, the Court may also appoint a guardian of his person upon due application therefor.

The remedy herein provided is cumulative of that provided in Chapter 12 hereof, for the guardianship of a person of unsound mind and habitual drunkards, and may be resorted to without invoking the latter remedy."

Sec. 3. That Article 4128 of Chapter 3, Title 69 of the Revised Civil Statutes of Texas, 1925, be amended so as to hereafter read as follows:

"Article 4128. Term of Appointment—The guardian of a minor continues in office unless discharged according to law until the minor dies or becomes 21 years of age, or, being a female, marries. The guardian of a person of unsound mind or of an habitual drunkard shall continue such, unless sooner discharged according to law, until the ward shall die or be restored to sound mind or to sober habits. The guardian of a person for whom it is necessary to have a guardian appointed to receive funds or money due from the State and/or Federal Government shall continue as such, unless sooner discharged according to law, until the ward shall die or the necessity for having such guardian no longer exists."

Sec. 4. That Articles 4228 and 4229 of Chapter 10, Title 69 of the Revised Civil Statutes of Texas, 1925, be amended so as to read hereafter as follows:

"Article 4228. When a guardian dies, resigns or is removed, the Court, on application, and without notice or citation shall appoint another if there be necessity therefor, and such appointment may be made prior to the filing of, or action upon, the final accounting of such former guardian."

"Article 4229. A guardian who wishes to resign, shall present his

written application to that effect to the Court, accompanied by a full and complete final account, duly sworn to, showing the true condition of the estate and of his guardianship. The Court may thereupon immediately accept such resignation and appoint a successor guardian, but shall not discharge such resigning guardian or release him or the sureties on his bond until the entire estate due the ward is delivered to the successor guardian, and final order or judgment shall have been rendered on his final account."

Sec. 5. That Article 4272 of Chapter 12, Title 69 of the Revised Civil Statutes of Texas, 1925, be amended so as to read hereafter as follows:

"Article 4272. If it be found by the jury that the defendant is of unsound mind, or is an habitual drunkard as charged, the Court shall, upon application filed within six (6) months after due adjudication thereof, proceed to appoint a guardian of the person and estate (or either) of such defendant, after the issuance and service of notice as required by Articles 4114 and 4113 of the Revised Civil Statutes, 1925, as amended by Chapter 254, Acts of 1935."

Sec. 6. When a petition is filed for the appointment of a guardian for a person for whom it is necessary to have a guardian appointed to receive funds or money from the State and/or Federal Government, a certificate of the executive head, or his representative of the bureau, department, or agency through which such funds are to be paid to the effect that the appointment of a guardian is a condition precedent to the payment of any moneys due such persons, shall be prima facie evidence of the necessity for such appointment.

Sec. 7. Whenever a guardian is appointed for the purpose of enabling a person to receive not more than Forty (\$40.00) Dollars a month from the State and/or Federal Government, the Court may, in its discretion, order that no costs or fees shall be charged in connection with the proceeding.

Sec. 8. The fact that the present laws do not clearly and definitely prescribe the character of process

that shall be issued upon applications for the appointment of guardians, and do not clearly define and specify the manner in which such process shall be served, and the fact that under the present laws, certain persons who are in fact disqualified from acting as guardians may nevertheless secure their appointment as such, and the further fact that there is no proper statutory provision for the appointment of guardians of persons who have been adjudged insane and habitual drunkards by Courts of competent jurisdiction in other States and territories, and the fact that the present Statutes do not authorize the immediate acceptance of resignations of guardians and the immediate appointment of successor guardians in cases where original guardians resign, die or have been removed for cause, and the fact that many aged persons, who are not insane but who are otherwise incompetent or incapable of handling their own affairs, are entitled to receive benefits or assistance from the Federal and/or State governments by reason of the social security laws, and are prevented from benefits and assistance because the Federal and/or State governments will not pay the same unless a guardian be appointed, thus probably forcing such persons to be declared of unsound mind and to undergo the humiliation incident thereto, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in full force from and after its passage, and it is so enacted.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 125 was then passed to third reading.

SENATE BILL NO. 125 ON THIRD READING

Mr. Hoyo moved that the Constitutional Rule requiring bills to be read on three several days be sus-

pending and that Senate Bill No. 125 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Allen	Howard
Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Baker	Hughes
Bean	Humphrey
Bell	Hutchinson
Benton	Jones
Blankenship	Kelly
Boone	Kennedy
Bray	Klingeman
Bridgers	Knight
Brown	Lansberry
Bruhl	Lehman
Bullock	Leyendecker
Burnaman	Little
Carlton	Lock
Carrington	Love
Cato	Lowry
Cleveland	Lucas
Coker	Lyle
Colson, Mrs.	McDonald
Connelly	McMurry
Craig	McNamara
Crossley	Manning
Crosthwait	Markle
Davis	Matthews
Dickson of Bexar	Mills
Dickson of Nolan	Moore
Donald	Morgan
Dove	Morris
Duckett	Morse
Ellis	Murray
Eubank	Pace
Evans	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Garland	Reed of Dallas
Gilmer	Rhodes
Goodman	Roark
Halsey	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Simpson
Harris of Dallas	Skiles
Harris of Hill	Smith of Bastrop
Hartzog	Smith of Atascosa
Helpinstill	Spacek
Henderson	Spangler
Hileman	Stanford
Hobbs	Stinson

Stubbs
Taylor
Thornton
Turner
Vale
Voigt

Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Brawner	King
Bundy	McAlister
Burkett	McGlasson
Chambers	McLellan
Clark	Manford
Deen	Martin
Dwyer	Montgomery
Isaacks	Ridgeway
Kinard	Sharpe

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

The Speaker then laid Senate Bill No. 125 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—122

Allen	Dickson of Nolan
Allison	Donald
Alsup	Dove
Avant	Duckett
Bailey	Ellis
Baker	Eubank
Bean	Evans
Bell	Ferguson
Benton	Files
Blankenship	Fitzgerald
Boone	Fuchs
Bray	Gandy
Bridgers	Garland
Brown	Gilmer
Bruhl	Goodman
Bullock	Halsey
Burnaman	Hanna
Carlton	Hardeman
Carrington	Hargis
Cato	Harris of Dallas
Cleveland	Harris of Hill
Coker	Hartzog
Colson, Mrs.	Helpinstill
Connelly	Henderson
Craig	Hileman
Crossley	Hobbs
Crosthwait	Howard
Davis	Howington
Dickson of Bexar	Hoyo

Huddleston	Parker
Huffman	Pevehouse
Hughes	Phillips
Humphrey	Price
Hutchinson	Rampy
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Rhodes
Klingeman	Roark
Knight	Roberts
Lansberry	Sallas
Lehman	Senterfitt
Leyendecker	Simpson
Little	Skiles
Lock	Smith of Bastrop
Love	Smith of Atascosa
Lowry	Spacek
Lucas	Spangler
Lyle	Stanford
McDonald	Stinson
McMurry	Stubbs
McNamara	Taylor
Manning	Thornton
Markle	Turner
Matthews	Vale
Mills	Voigt
Moore	Walters
Morgan	Wattner
Morris	Weatherford
Morse	White
Murray	Whitesides
Pace	Winfree

Absent

Brawner	King
Bundy	McAlister
Burkett	McGlasson
Chambers	McLellan
Clark	Manford
Deen	Martin
Dwyer	Montgomery
Isaacks	Ridgeway
Kinard	Sharpe

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Heflin	Shell

HOUSE JOINT RESOLUTION NO.
38 ON SECOND READING

The Speaker laid before the House, on its second reading and final passage,

H. J. R. No. 38, Proposing an amendment to the Constitution of the State of Texas by amending Section 33 of Article 16, of the Constitution of Texas so as to permit the

Accounting Officers of this State to draw and pay warrants for salaries to officers of the United States Army or Navy who are assigned to duties in State Institutions of higher education.

The resolution was read second time and was passed by the following vote:

Yeas—116

Allen	Howington
Allison	Hoyo
Alsup	Huddleston
Avant	Huffman
Bailey	Hughes
Baker	Humphrey
Bean	Hutchinson
Bell	Jones
Benton	Kelly
Blankenship	Kennedy
Bridgers	Klingeman
Bruhl	Knight
Bullock	Lehman
Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Chambers	Lowry
Cleveland	Lucas
Coker	Lyle
Colson, Mrs.	McDonald
Connelly	McGlasson
Craig	McMurry
Crossley	McNamara
Crothwait	Manford
Davis	Manning
Deen	Matthews
Dickson of Bexar	Mills
Dickson of Nolan	Moore
Duckett	Morgan
Dwyer	Morse
Ellis	Murray
Eubank	Pace
Evans	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Garland	Reed of Dallas
Gilmer	Rhodes
Goodman	Roark
Halsey	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Sharpe
Harris of Dallas	Simpson
Harris of Hill	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek

Spangler	Vale
Stanford	Walters
Stinson	Wattner
Stubbs	Weatherford
Taylor	White
Thornton	Whitesides
Turner	Winfree

Nays—6

Bray	King
Donald	Lansberry
Hobbs	Markle

Absent

Boone	Isaacks
Brawner	Kinard
Brown	McAlister
Bundy	McLellan
Burkett	Martin
Clark	Montgomery
Dove	Morris
Hartzog	Ridgeway
Howard	Voigt

Absent—Excused

Celaya	Kersey
Daniel	McCann
Favors	Nicholson
Hefin	Shell

SENATE BILL NO. 458 ON
SECOND READING

The Speaker laid before the House, in its second reading and passage to third reading,

S. B. No. 458, A bill to be entitled "An Act making an appropriation, in addition to the several sums of money appropriated for such purposes by House Bill No. 271 of the 47th Legislature for law books, for the Courts of Civil Appeals, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 458 ON
THIRD READING

Mr. Reed of Bowie moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 458 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allen	Kennedy
Allison	Klingeman
Alsup	Knight
Avant	Lansberry
Bailey	Lehman
Baker	Leyendecker
Bell	Little
Benton	Lock
Blankenship	Love
Bray	Lucas
Bridgers	Lyle
Brown	McDonald
Bruhl	McGlasson
Bullock	McMurry
Carlton	McNamara
Carrington	Manford
Cato	Manning
Cleveland	Markle
Colson, Mrs.	Martin
Connelly	Matthews
Craig	Mills
Crossley	Moore
Crosthwait	Morgan
Daniel	Morris
Dickson of Bexar	Morse
Dickson of Nolan	Murray
Donald	Pace
Duckett	Parker
Dwyer	Pevehouse
Ellis	Phillips
Eubank	Price
Evans	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Rhodes
Fuchs	Roark
Gandy	Roberts
Garland	Sallas
Gilmer	Senterfitt
Goodman	Sharpe
Halsey	Simpson
Hanna	Skiles
Hardeman	Smith of Bastrop
Hargis	Smith of Atascosa
Harris of Dallas	Spacek
Helpinstill	Spangler
Henderson	Stanford
Hileman	Stinson
Hobbs	Stubbs
Howington	Taylor
Hoyo	Thornton
Huddleston	Turner
Huffman	Vale
Hughes	Walters
Humphrey	Weatherford
Hutchinson	White
Jones	Whitesides
Kelly	Winfree

Nays—4			
Davis	Lowry	Knight	Price
King	Voigt	Lansberry	Rampy
		Lehman	Reed of Bowie
		Leyendecker	Reed of Dallas
	Absent	Little	Rhodes
Bean	Harris of Hill	Lock	Roark
Boone	Hartzog	Love	Roberts
Brawner	Howard	Lucas	Sallas
Bundy	Isaacks	Lyle	Senterfitt
Burkett	Kinard	McDonald	Sharpe
Burnaman	McAlister	McGlasson	Simpson
Chambers	McLellan	McMurry	Skiles
Clark	Montgomery	McNamara	Smith of Bastrop
Coker	Ridgeway	Manford	Smith of Atascosa
Deen	Wattner	Manning	Spacek
Dove		Markle	Spangler
		Martin	Stanford
		Matthews	Stinson
		Mills	Stubbs
		Moore	Taylor
		Morgan	Thornton
		Morris	Turner
		Morse	Vale
		Murray	Walters
		Pace	Weatherford
		Parker	White
		Pevehouse	Whitesides
		Phillips	Winfree
Absent—Excused		Nays—4	
Celaya	McCann	Davis	Lowry
Favors	Nicholson	King	Voigt
Heflin	Shell		
Kersey			Absent
The Speaker then laid Senate Bill No. 458 before the House on third reading and final passage.		Bean	Harris of Hill
The bill was read third time and was passed by the following vote:		Boone	Hartzog
Yeas—116		Brawner	Howard
Allen	Eubank	Bundy	Isaacks
Allison	Evans	Burkett	Kinard
Alsop	Ferguson	Burnaman	McAlister
Avant	Files	Chambers	McLellan
Bailey	Fitzgerald	Clark	Montgomery
Baker	Fuchs	Coker	Ridgeway
Bell	Gandy	Deen	Wattner
Benton	Garland	Dove	
Blankenship	Gilmer		Absent—Excused
Bray	Goodman	Celaya	McCann
Bridgers	Halsey	Favors	Nicholson
Brown	Hanna	Heflin	Shell
Bruhl	Hardeman	Kersey	
Bullock	Hargis		
Carlton	Harris of Dallas		
Carrington	Helpinstill		
Cato	Henderson		
Cleveland	Hileman		
Colson, Mrs.	Hobbs		
Connelly	Howington		
Craig	Hoyo		
Crossley	Huddleston		
Crothwait	Huffman		
Daniel	Hughes		
Dickson of Bexar	Humphrey		
Dickson of Nolan	Hutchinson		
Donald	Jones		
Duckett	Kelly		
Dwyer	Kennedy		
Ellis	Klingeman		

SENATE BILL NO. 85 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 85, A bill to be entitled "An Act to amend Article 4752, of Chapter 3, Title 78, of the Revised Statutes of 1925, relating to limited

capital stock life, accident and health insurance companies, removing the restriction that such companies shall have power only to transact business within this State; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 85 ON THIRD READING

Mr. Harris of Dallas, moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 85 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Fitzgerald
Allison	Fuchs
Alsup	Gandy
Avant	Garland
Bailey	Gilmer
Baker	Goodman
Bean	Halsey
Bell	Hanna
Benton	Hardeman
Blankenship	Hargis
Brawner	Harris of Dallas
Bray	Hartzog
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hileman
Bullock	Hobbs
Burnaman	Hoyo
Carlton	Huddleston
Carrington	Huffman
Cato	Hughes
Chambers	Humphrey
Cleveland	Hutchinson
Coker	Isaacks
Colson, Mrs.	Kelly
Connelly	Kennedy
Craig	Kinard
Crosthwait	Knight
Daniel	Lansberry
Davis	Lehman
Deen	Leyendecker
Dickson of Nolan	Little
Donald	Lock
Dove	Love
Duckett	Lowry
Dwyer	Lucas
Ellis	Lyle
Eubank	McDonald
Evans	McGlasson
Ferguson	McMurry
Files	McNamara

Manning	Sallas
Markle	Senterfitt
Martin	Sharpe
Matthews	Skiles
Moore	Smith of Bastrop
Morgan	Spangler
Morris	Stanford
Morse	Stubbs
Murray	Taylor
Pace	Thornton
Parker	Turner
Pevehouse	Vale
Phillips	Voigt
Price	Walters
Rampy	Wattner
Reed of Dallas	Weatherford
Rhodes	White
Roark	Whitesides
Roberts	Winfree

Nays—8

Burkett	Klingeman
Dickson of Bexar	Reed of Bowie
Howington	Smith of Atascosa
Jones	Spacek

Present—Not Voting

Mills

Absent

Boone	McAlister
Bundy	McLellan
Clark	Manford
Crossley	Montgomery
Harris of Hill	Ridgeway
Howard	Simpson
King	Stinson

Absent—Excused

Celaya	McCann
Favors	Nicholson
Heflin	Shell
Kersey	

The Speaker then laid Senate Bill No. 85 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118

Allen	Blankenship
Allison	Brawner
Alsup	Bray
Avant	Bridgers
Bailey	Brown
Baker	Bruhl
Bean	Bullock
Bell	Burnaman
Benton	Carlton

Carrington	Lehman
Cato	Leyendecker
Chambers	Little
Cleveland	Lock
Coker	Love
Colson, Mrs.	Lowry
Connelly	Lucas
Craig	Lyle
Crosthwait	McDonald
Daniel	McGlasson
Davis	McMurry
Deen	McNamara
Dickson of Nolan	Manning
Donald	Markle
Dove	Martin
Duckett	Matthews
Dwyer	Moore
Ellis	Morgan
Eubank	Morris
Evans	Morse
Ferguson	Murray
Files	Pace
Fitzgerald	Parker
Fuchs	Pevehouse
Gandy	Phillips
Garland	Price
Gilmer	Rampy
Goodman	Reed of Dallas
Halsey	Rhodes
Hanna	Roark
Hardeman	Roberts
Hargis	Sallas
Harris of Dallas	Senterfitt
Hartzog	Sharpe
Helpinstill	Skiles
Henderson	Smith of Bastrop
Hileman	Spangler
Hobbs	Stanford
Hoyo	Stubbs
Huddleston	Taylor
Huffman	Thornton
Hughes	Turner
Humphrey	Vale
Hutchinson	Voigt
Isaacks	Walters
Kelly	Wattner
Kennedy	Weatherford
Kinard	White
Knight	Whitesides
Lansberry	Winfree

Nays—8

Burkett	Klingeman
Dickson of Bexar	Reed of Bowie
Howington	Smith of Atascosa
Jones	Spacek

Present—Not Voting

Mills

Absent

Boone

Bundy

Clark	McLellan
Crossley	Manford
Harris of Hill	Montgomery
Howard	Ridgeway
King	Simpson
McAlister	Stinson

Absent—Excused

Celaya	McCann
Favors	Nicholson
Hefin	Shell
Kersey	

HOUSE BILL NO. 1073 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1073, A bill to be entitled "An Act to authorize and empower the Board of Insurance Commissioners of the State of Texas to promulgate a comprehensive rating plan for workmen's compensation and motor vehicle insurance in combination with other forms of insurance required or used in connection with the construction or operation of National Defense projects; authorizing the Board to promulgate rules and regulations incident thereto; providing that this Act shall be cumulative of existing laws and applicable only to insurance rates in relation to National Defense Projects; and declaring an emergency."

The bill was read second time.

Mr. McNamara offered the following Committee Amendment to the bill:

Strike out everything after the enacting clause and substitute therefor the following:

Section 1. The Board of Insurance Commissioners of Texas is hereby authorized and empowered to make and promulgate special rates and special rating plans for Workmen's Compensation, Motor Vehicle and other lines of Casualty insurance to be applicable only to the construction or operation of National Defense projects in Texas, and to make such special rates and special rating plans separately for each class of insurance, or in combination of all such classes. The Board shall

also have authority to make and promulgate such rules and regulations as may be necessary, proper or advisable in placing such rates and plans in effect.

Sec. 2. The Board of Insurance Commissioners is hereby authorized and empowered to promulgate special rates and forms for fire and windstorm insurance, and other types of material damage insurance required or used upon such National Defense Projects, and the Board may also promulgate rules and regulations incidental to said business and necessary to place its special rates and forms in effect.

Sec. 3. This Act shall be cumulative of existing laws and applicable only to rates upon insurance in relation to National Defense Projects, and to the extent of such subject constitutes an exception to existing laws.

Sec. 4. The fact of the existence of the National Emergency and the operation and construction of National Defense Projects within the State of Texas, and the further fact of the crowded condition of the calendar, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House, be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so amended.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1073 was then passed to engrossment.

HOUSE BILL NO. 1073 ON THIRD READING

Mr. Stinson moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1073 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Allen	Humphrey
Allison	Hutchinson
Alsup	Jones
Avant	Kelly
Bailey	Kinard
Baker	Klingeman
Bell	Knight
Benton	Lansberry
Blankenship	Lehman
Boone	Leyendecker
Bray	Little
Bridgers	Lock
Bruhl	Lowry
Burkett	Lucas
Burnaman	Lyle
Carlton	McGlasson
Carrington	McMurry
Cato	McNamara
Chambers	Manford
Cleveland	Manning
Coker	Markle
Colson, Mrs.	Martin
Connelly	Matthews
Craig	Mills
Crossley	Moore
Crothwait	Morris
Daniel	Morse
Davis	Murray
Dickson of Bexar	Pace
Dickson of Nolan	Parker
Donald	Pevehouse
Dove	Phillips
Duckett	Price
Ellis	Reed of Dallas
Eubank	Rhodes
Evans	Roark
Ferguson	Roberts
Fitzgerald	Sallas
Fuchs	Senterfitt
Gandy	Sharpe
Garland	Smith of Bastrop
Gilmer	Smith of Atascosa
Halsey	Spacek
Hanna	Spangler
Hardeman	Stanford
Hargis	Stinson
Harris of Dallas	Stubbs
Harris of Hill	Taylor
Hartzog	Thornton
Helpinstill	Turner
Henderson	Vale
Hileman	Walters
Howington	Wattner
Hoyo	Weatherford
Huddleston	White
Huffman	Whitesides
Hughes	Winfree

Nays—7

Bean	Rampy
Bullock	Reed of Bowie
Deen	Simpson
Love	

Absent

Brawner	Kennedy
Brown	King
Bundy	McAlister
Clark	McDonald
Dwyer	McLellan
Files	Montgomery
Goodman	Morgan
Hobbs	Ridgeway
Howard	Skiles
Isaacks	Voigt

Absent—Excused

Celaya	McCann
Favors	Nicholson
Hefin	Shell
Kersey	

The Speaker then laid House Bill No. 1073 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—114

Allen	Dickson of Nolan
Allison	Donald
Alsup	Dove
Avant	Duckett
Bailey	Ellis
Baker	Eubank
Bell	Evans
Benton	Ferguson
Blankenship	Fitzgerald
Boone	Fuchs
Bray	Gandy
Bridgers	Garland
Bruhl	Gilmer
Burkett	Halsey
Burnaman	Hanna
Carlton	Hardeman
Carrington	Hargis
Cato	Harris of Dallas
Chambers	Harris of Hill
Cleveland	Hartzog
Coker	Helpinstill
Colson, Mrs.	Henderson
Connelly	Hileman
Craig	Howington
Crossley	Hoyo
Crosthwait	Huddleston
Daniel	Huffman
Davis	Hughes
Dickson of Bexar	Humphrey

Hutchinson	Parker
Jones	Pevehouse
Kelly	Phillips
Kinard	Price
Klingeman	Reed of Dallas
Knight	Rhodes
Lansberry	Roark
Lehman	Roberts
Leyendecker	Sallas
Little	Senterfitt
Lock	Sharpe
Lowry	Smith of Bastrop
Lucas	Smith of Atascosa
Lyle	Spacek
McGlasson	Spangler
McMurry	Stanford
McNamara	Stinson
Manford	Stubbs
Manning	Taylor
Markle	Thornton
Martin	Turner
Matthews	Vale
Mills	Walters
Moore	Wattner
Morris	Weatherford
Morse	White
Murray	Whitesides
Pace	Winfree

Nays—7

Bean	Rampy
Bullock	Reed of Bowie
Deen	Simpson
Love	

Absent

Brawner	Kennedy
Brown	King
Bundy	McAlister
Clark	McDonald
Dwyer	McLellan
Files	Montgomery
Goodman	Morgan
Hobbs	Ridgeway
Howard	Skiles
Isaacks	Voigt

Absent—Excused

Celaya	McCann
Favors	Nicholson
Hefin	Shell
Kersey	

RELATIVE TO SENATE BILL
NO. 431

Mr. Simpson moved that Senate Bill No. 431 be laid on the table subject to call.

The motion prevailed.

NOTICE GIVEN

Mr. Simpson gave notice that he would on the next legislative day move to take up for consideration at that time Senate Bill No. 431, which bill was heretofore laid on the table subject to call.

MESSAGE FROM THE SENATE

Austin, Texas, June 10, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 963.

The following have been appointed on the part of the Senate:

Senators Hill, Mauritz, Smith, Winfield and Lemens.

The Senate has adopted the Conference Committee report on House Bill No. 963 by the following vote: Yeas, 31; nays, 0.

Passed

H. B. No. 291, A bill to be entitled "An Act relating to the salaries of all State officers except those Constitutional State officers whose salaries are specifically fixed by the Constitution, etc.; and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 291 WITH
SENATE AMENDMENTS

Mr. Reed of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 291, A bill to be entitled "An Act relating to the salaries of all State officers except those Constitutional State officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals out of fees of office, and specifically repealing all laws and parts of laws in

conflict herewith; and declaring an emergency."

On motion of Mr. Reed of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—111

Allen	Huffman
Allison	Hughes
Alsup	Humphrey
Avant	Hutchinson
Bailey	Jones
Bean	Kennedy
Bell	Kinard
Benton	Klingeman
Blankenship	Knight
Boone	Lansberry
Brawner	Lehman
Bray	Little
Bridgers	Lock
Bullock	Love
Bundy	Lowry
Burnaman	Lucas
Carlton	McMurry
Carrington	Manford
Cato	Manning
Chambers	Markle
Clark	Martin
Cleveland	Matthews
Coker	Mills
Colson, Mrs.	Montgomery
Connelly	Moore
Craig	Morse
Crossley	Murray
Daniel	Pace
Deen	Phillips
Dickson of Bexar	Price
Donald	Rampy
Dove	Reed of Bowie
Duckett	Reed of Dallas
Dwyer	Rhodes
Ellis	Roark
Eubank	Roberts
Evans	Sallas
Ferguson	Senterfitt
Files	Sharpe
Fitzgerald	Simpson
Fuchs	Smith of Bastrop
Gandy	Smith of Atascosa
Goodman	Spacek
Halsey	Stanford
Hanna	Stubbs
Hardeman	Taylor
Hargis	Thornton
Harris of Dallas	Turner
Harris of Hill	Vale
Helpinstill	Walters
Henderson	Wattner
Hileman	Weatherford
Hobbs	White
Howard	Whitesides
Hoyo	Winfree
Huddleston	

Nays—11

Baker	McGlasson
Burkett	McNamara
Davis	Morgan
Dickson of Nolan	Parker
Howington	Pevehouse
King	

Absent

Brown	McAlister
Bruhl	McDonald
Crosthwait	McLellan
Garland	Morris
Gilmer	Ridgeway
Hartzog	Skiles
Isaacks	Spangler
Kelly	Stinson
Leyendecker	Voigt
Lyle	

Absent—Excused

Celaya	McCann
Favors	Nicholson
Heflin	Shell
Kersey	

REQUEST OF SENATE GRANTED

On motion of Mr. Hughes, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 38.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on Senate Bill No. 38:

Mr. Smith of Atascosa, Mr. Kelly, Mr. Pevehouse, Miss Files and Mr. Henderson.

RELATIVE TO LOCAL AND UNCONTESTED BILLS

By unanimous consent of the House, the Engrossing Clerk was authorized to make the necessary corrective amendments to the bills passed on Local and Uncontested Calendar, and to amend the captions accordingly.

MOTION TO INTRODUCE CERTAIN BILL

Mr. Sharpe moved to introduce the following bill:

By Mr. Sharpe:

H. B. No. —, A bill to be entitled "An Act to amend Article 3087, Re-

vised Civil Statutes of Texas, 1925, to provide that the person elected to fill a vacancy in the office of United States Senator shall qualify therefor within 30 days after the date of the election, the failure to do which shall constitute a forfeiture of his right to such office, and to provide for another election to fill such vacancy; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—56

Allison	Isaacks
Alsup	Kelly
Bell	Lansberry
Benton	Lehman
Blankenship	Love
Brawner	McGlasson
Bray	McNamara
Bullock	Manning
Burnaman	Markle
Carlton	Martin
Carrington	Mills
Coker	Moore
Colson, Mrs.	Morris
Connelly	Phillips
Crossley	Rhodes
Dickson of Bexar	Senterfitt
Donald	Sharpe
Dove	Simpson
Duckett	Skiles
Files	Smith of Atascosa
Fuchs	Stanford
Garland	Stubbs
Henderson	Taylor
Hileman	Turner
Howington	Vale
Hoyo	Wattner
Hughes	Weatherford
Hutchinson	Whitesides

Nays—51

Bailey	Gilmer
Baker	Goodman
Bean	Hanna
Boone	Hardeman
Bridgers	Hargis
Burkett	Harris of Dallas
Cato	Helpinstill
Craig	Hobbs
Daniel	Huddleston
Davis	Huffman
Deen	Kennedy
Dickson of Nolan	King
Ellis	Klingeman
Eubank	Knight
Gandy	Little

Lock	Rampy
Lowry	Reed of Bowie
Lucas	Roberts
McMurry	Sallas
Matthews	Smith of Bastrop
Montgomery	Spacek
Morse	Stinson
Murray	Thornton
Pace	Walters
Pevehouse	Winfree
Price	

Absent

Allen	Humphrey
Avant	Jones
Brown	Kinard
Bruhl	Leyendecker
Bundy	Lyle
Chambers	McAllister
Clark	McDonald
Cleveland	McLellan
Crosthwait	Manford
Dwyer	Morgan
Evans	Parker
Ferguson	Reed of Dallas
Fitzgerald	Ridgeway
Halsey	Roark
Harris of Hill	Spangler
Hartzog	Voigt
Howard	White

Absent—Excused

Celaya	McCann
Favors	Nicholson
Heflin	Shell
Kersey	

**BILLS AND RESOLUTIONS
SIGNED BY THE
SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. J. R. No. 1, Proposing an amendment to Article III of the Constitution of the State of Texas, by adding a new section thereto to be known as Section 49a, requiring all bills passed by the Legislature on and after January 1st, 1945, appropriating money for any purpose to be sent to the Comptroller of Public Accounts, and fixing the duties of the Comptroller with reference thereto; and fixing the duties of the Speaker of the House of Representatives upon the return of any such bill to such Speaker by the Comptroller; and fixing the status of

any such appropriation bill when so returned; and fixing the duties of the Governor with reference to all appropriation bills; and requiring the State Treasurer, on or after January 1st, 1945, to submit to the Comptroller of Public Accounts daily report showing condition of all State funds; and regulating the issuance of warrants by the Comptroller; and providing for the submission of this amendment to the voters as required by the Constitution, and making an appropriation therefor.

H. B. No. 1074, "An Act to amend Section 8, Chapter 42, Acts of the 41st Legislature, 2nd Called Session, as amended by Section 9, Chapter 282, Acts of the 42nd Legislature, Regular Session, prescribing the rate and speed of motor or other vehicles upon the public highways of Texas, and within the corporate limits of an incorporated city or town, and within any town or village not incorporated; prescribing the rate of speed for a commercial motor vehicle, truck-tractor, trailer or semi-trailer; defining the terms 'daytime' and 'nighttime'; providing that no persons shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing and making unlawful the act of driving so as to wilfully obstruct traffic, etc.; and declaring an emergency."

S. C. R. No. 76, Relative to dedication of the Tyler State Park.

H. C. R. No. 201, Relative to the construction of State Highways during the present emergency.

S. B. No. 403, "An Act to declare a State policy regarding the activities of the various agricultural agencies of the State, especially as they affect cotton and cotton products and the increased use and consumption of same, etc.; and declaring an emergency."

S. B. No. 324, "An Act amending Article 1667 of the Revised Civil Statutes of 1925, as amended by Acts of the 42nd Legislature, 1931, Second Called Session, page 62, Chapter 38; placing certain counties under the provisions of said Article and providing control over finances in such counties by auditors, etc.; and declaring an emergency."

S. B. No. 354, "An Act to amend House Bill No. 205, Chapter 213, page 417, General and Special Laws, Acts of the 45th Legislature, Regular Session (1937), etc., pertaining to salaries of the County Board of School Trustees in certain counties, etc.; and declaring an emergency."

S. B. No. 115, "An Act making an appropriation of an amount necessary to pay the claim of the American National Bank, of Austin, Texas, a corporation, the sum of Eight Thousand, Eight Hundred Sixty-one and 62/100, etc.; and declaring an emergency."

S. B. No. 358, "An Act amending Article 1041, Title 15, Code of Criminal Procedure, Revision of 1925, as amended by Senate Bill No. 101, Chapter 7, of the 45th Legislature, Regular Session, etc.; and declaring an emergency."

HOUSE BILLS ON FIRST READING

Mr. Lyle asked unanimous consent to introduce at this time, and have placed on first reading House Bill No. 1080.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Lyle:

H. B. No. 1080, A bill to be entitled "An Act providing that all counties within this State, having a population of not less than eighty thousand (80,000) inhabitants nor more than two hundred twenty-five thousand (225,000) inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, may, upon an order being made by their Commissioners Courts for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Courts all necessary power and authority to make this Act effective; providing that said Act shall be cumulative; and declaring an emergency."

Referred to the Committee on Counties.

The following House bill introduced today, was laid before the

House, read first time, and referred to the appropriate committee, as follows:

By Mr. Chambers:

H. B. No. 1081, A bill to be entitled "An Act to prohibit the use of a seine or net for taking fish in Brown County except a minnow seine not more than twenty (20) feet in length when used for the purpose of taking minnows for bait; prohibiting the use of a seine or net for any purpose in the waters of Lake Brownwood; providing a penalty; repealing all laws in conflict; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

BILL ORDERED NOT PRINTED

On motion of Mr. Lyle, House Bill No. 1080 was ordered not printed.

RECESS

Mr. Bean moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Morris moved that the House adjourn until 11:00 o'clock a. m., tomorrow.

Mr. Ferguson moved that the House recess until 3:00 o'clock p. m., today.

Question first recurring on the motion to adjourn until 10:00 a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—43

Alsup	Hargis
Bailey	Harris of Dallas
Bean	Harris of Hill
Blankenship	Hoyo
Boone	Huffman
Bray	Kennedy
Burnaman	Kinard
Carlton	Little
Clark	McAlister
Cleveland	McGlasson
Crossley	McNamara
Crosthwait	Martin
Dickson of Bexar	Mills
Dickson of Nolan	Montgomery
Dwyer	Morgan
Halsey	Morse

Pace	Skiles
Pevehouse	Smith of Bastrop
Price	Turner
Roberts	Vale
Sallas	Winfree
Sharpe	

Nays—85

Allen	Huddleston
Allison	Hughes
Avant	Humphrey
Baker	Hutchinson
Bell	Isaacks
Benton	Jones
Brawner	King
Bridgers	Klingeman
Brown	Knight
Bullock	Lansberry
Bundy	Lehman
Burkett	Lock
Carrington	Love
Cato	Lowry
Chambers	Lucas
Coker	McMurry
Colson, Mrs.	Manford
Connelly	Manning
Craig	Markle
Daniel	Matthews
Davis	Moore
Deen	Murray
Donald	Parker
Dove	Phillips
Duckett	Rampy
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Evans	Rhodes
Ferguson	Roark
Files	Senterfitt
Fitzgerald	Simpson
Fuchs	Smith of Atascosa
Gandy	Spacek
Garland	Stanford
Gilmer	Stinson
Goodman	Stubbs
Hanna	Taylor
Hardeman	Thornton
Helpinstill	Walters
Henderson	Wattner
Hileman	Weatherford
Hobbs	Whitesides
Howington	

Absent

Bruhl	McLellan
Hartzog	Morris
Howard	Ridgeway
Kelly	Spangler
Leyendecker	Voigt
Lyle	White
McDonald	

Absent—Excused

Celaya	McCann
Favors	Nicholson
Heflin	Shell
Kersey	

Question next recurring on the motion to adjourn until 11:00 o'clock a. m., tomorrow, it was lost.

Question then recurring on the motion to recess until 3:00 o'clock p. m. today, it prevailed and the House accordingly, at 12:30 o'clock p. m., took recess until 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE
GRANTED

Mr. McDonald temporarily, for this afternoon, on account of important business, on motion of Mr. Blankenship.

Mr. Little was granted leave of absence for this afternoon on account of important business, on motion of Mr. Morse.

Mr. Harris of Dallas, for this afternoon, on account of important business, on motion of Mr. Vale.

The following members of the Conference Committee on Senate Bill No. 471 were granted temporary leave of absence for this afternoon, on account of important Conference Committee work:

Messrs. Lehman, Stanford, Turner, McGlasson and Mrs. Colson.

MESSAGE FROM THE SENATE

Austin, Texas, June 10, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 1058, A bill to be entitled "An Act amending House Bill No. 843 of the Regular Session of the Forty-seventh Legislature by add-

ing a new Section to be numbered Section 1a, and to provide exemption as to certain waters of Lake Corpus Christi; and declaring an emergency."

Adopted

H. C. R. No. 166, Granting Mrs. Woodie Spore permission to sue the State of Texas.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 297 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 297, A bill to be entitled "An Act to amend Article 883 of the Revised Civil Statutes of Texas 1925, relating to the limitation of restriction of the liability of railroads and other common carriers as it exists at common law, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

MOTION TO PLACE S. B. NO. 297
ON THIRD READING

Mr. Brown moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 297 be placed on its third reading and final passage.

The roll of the House was called and the vote announced as follows:

Yeas—68

Allen	Connelly
Allison	Crossley
Alsup	Dickson of Nolan
Avant	Donald
Baker	Dove
Bell	Duckett
Benton	Eubank
Boone	Evans
Brawner	Fuchs
Bray	Gandy
Brown	Garland
Carlton	Gilmer
Cato	Goodman
Chambers	Hanna
Cleveland	Hardeman
Coker	Hargis
Colson, Mrs.	Harris of Hill

Hartzog
Helpinstill
Howington
Huffman
Hughes
Hutchinson
Jones
Kennedy
Klingeman
Knight
Lock
Love
Lucas
Lyle
McMurry
Markle
Morgan

Morris
Pace
Parker
Pevehouse
Phillips
Rampy
Reed of Bowie
Ridgeway
Roark
Roberts
Senterfitt
Spacek
Taylor
Wattner
White
Whitesides
Winfree

Nays—18

Bailey
Burkett
Burnaman
Craig
Davis
Deen
Dickson of Bexar
Ellis
King

Lansberry
Lowry
McGlasson
McNamara
Martin
Matthews
Murray
Price
Sharpe

Absent

Bean
Blankenship
Bridgers
Bruhl
Bullock
Bundy
Carrington
Clark
Crosthwait
Daniel
Dwyer
Ferguson
Files
Fitzgerald
Halsey
Henderson
Hileman
Hobbs
Howard
Hoyo
Huddleston
Humphrey
Isaacks
Kelly
Kinard

Leyendecker
McAlister
McLellan
Manford
Manning
Mills
Montgomery
Moore
Morse
Reed of Dallas
Rhodes
Sallas
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spangler
Stinson
Stubbs
Thornton
Vale
Voigt
Walters
Weatherford

Absent—Excused

Celaya	McCann
Favors	McDonald
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	Turner
Little	

Mr. McNamara raised the point of order that a quorum of the House is not present.

The Speaker sustained the point of order.

Mr. Lansberry moved a call of the House for the purpose of securing a quorum and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

Mr. Crossley moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—12

Alsup	Hobbs
Bailey	McGlasson
Bray	Martin
Clark	Morris
Crossley	Morse
Harris of Dallas	Roberts

Nays—83

Allen	Gandy
Allison	Garland
Avant	Gilmer
Baker	Goodman
Bell	Hanna
Benton	Hargis
Boone	Harris of Hill
Brawner	Hartzog
Brown	Helpinstill
Bundy	Hileman
Burkett	Howington
Burnaman	Huffman
Carlton	Hughes
Carrington	Humphrey
Cato	Hutchinson
Chambers	Jones
Cleveland	Kennedy
Coker	King
Connelly	Klingeman
Craig	Knight
Davis	Lansberry
Deen	Lock
Dickson of Bexar	Love
Dickson of Nolan	Lucas
Dove	Lyle
Ellis	McLellan
Eubank	McMurry
Ferguson	Manford
Fitzgerald	Markle
Fuchs	Matthews

Morgan	Senterfitt
Murray	Sharpe
Pace	Simpson
Parker	Skiles
Pevehouse	Smith of Atascosa
Phillips	Spacek
Price	Stubbs
Rampy	Taylor
Reed of Bowie	Vale
Ridgeway	Wattner
Roark	Winfree
Sallas	

Absent

Bean	Kinard
Blankenship	Lowry
Bridgers	Leyendecker
Bruhl	McAlister
Bullock	McNamara
Crosthwait	Manning
Daniel	Mills
Donald	Montgomery
Duckett	Moore
Dwyer	Reed of Dallas
Evans	Rhodes
Files	Smith of Bastrop
Halsey	Spangler
Hardeman	Stinson
Henderson	Thornton
Howard	Voigt
Hoyo	Walters
Huddleston	Weatherford
Isaacks	White
Kelly	Whitesides

Absent—Excused

Celaya	McCann
Colson, Mrs.	McDonald
Favors	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	Turner
Little	

Mr. Hileman moved a call of the House for the purpose of securing a quorum and the call was duly ordered.

The roll of the House was called and the following members were present:

Mr. Speaker	Boone
Allen	Brawner
Allison	Bray
Alsup	Bridgers
Avant	Brown
Bailey	Bruhl
Baker	Bundy
Bean	Burkett
Bell	Burnaman
Benton	Carlton

Cato	Knight
Chambers	Lansberry
Cleveland	Lock
Coker	Love
Connelly	Lucas
Craig	Lyle
Crossley	McDonald
Davis	McLellan
Deen	McMurry
Dickson of Bexar	McNamara
Dickson of Nolan	Manford
Donald	Markle
Dove	Matthews
Ellis	Mills
Eubank	Morgan
Evans	Morris
Files	Morse
Fitzgerald	Murray
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Gilmer	Phillips
Goodman	Price
Halsey	Rampy
Hanna	Reed of Bowie
Hardeman	Ridgeway
Hargis	Roark
Harris of Hill	Roberts
Hartzog	Senterfitt
Helpinstill	Sharpe
Hileman	Simpson
Hobbs	Skiles
Howington	Spacek
Huffman	Stinson
Hughes	Stubbs
Humphrey	Taylor
Hutchinson	Thornton
Jones	Vale
Kennedy	Wattner
Kinard	White
King	Winfree
Klingeman	

Absent

Blankenship	Lowry
Bullock	McAlister
Carrington	Manning
Clark	Martin
Crosthwait	Montgomery
Daniel	Moore
Duckett	Reed of Dallas
Dwyer	Rhodes
Ferguson	Sallas
Henderson	Smith of Bastrop
Howard	Smith of Atascosa
Hoyo	Spangler
Huddleston	Voigt
Isaacks	Walters
Kelly	Weatherford
Leyendecker	Whitesides

Absent—Excused

Celaya	Colson, Mrs.
--------	--------------

Favors	McCann
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford
Little	Turner

A quorum of the House was announced present.

SENATE BILL NO. 297 ON
THIRD READING

Mr. Brown moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 297 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98

Allen	Hardeman
Allison	Hargis
Alsup	Hartzog
Avant	Helpinstill
Baker	Hileman
Bean	Howington
Bell	Huffman
Benton	Hughes
Blankenship	Humphrey
Boone	Hutchinson
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kinard
Burnaman	Klingeman
Carlton	Knight
Cato	Lansberry
Chambers	Lock
Clark	Love
Cleveland	Lucas
Coker	Lyle
Connelly	McAlister
Craig	McDonald
Crossley	McLellan
Deen	McMurry
Dickson of Bexar	McNamara
Dickson of Nolan	Manford
Dove	Markle
Ellis	Mills
Eubank	Morgan
Evans	Morris
Ferguson	Morse
Fuchs	Murray
Gandy	Pace
Garland	Parker
Gilmer	Pevehouse
Goodman	Phillips
Halsey	Price
Hanna	Rampy

Reed of Bowie	Spacek
Ridgeway	Stinson
Rhodes	Stubbs
Roark	Taylor
Roberts	Vale
Sallas	Walters
Senterfitt	Wattner
Sharpe	Weatherford
Simpson	White
Smith of Atascosa	Winfree

Nays—5

Bailey	King
Burkett	Matthews
Davis	

Present—Not Voting

Harris of Hill

Absent

Brawner	Isaacks
Bullock	Kersey
Bundy	Leyendecker
Carrington	Lowry
Celaya	McCann
Crosthwait	Manning
Daniel	Martin
Donald	Montgomery
Duckett	Moore
Dwyer	Nicholson
Favors	Reed of Dallas
Files	Shell
Fitzgerald	Skiles
Heflin	Smith of Bastrop
Henderson	Spangler
Hobbs	Thornton
Howard	Voigt
Hoyo	Whitesides
Huddleston	

Absent—Excused

Colson, Mrs.	McGlasson
Harris of Dallas	Stanford
Lehman	Turner
Little	

The Speaker then laid Senate Bill No. 297 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—108

Allen	Benton
Allison	Boone
Alsup	Brawner
Avant	Bray
Bailey	Bridgers
Baker	Brown
Bell	Bruhl

Bullock	Leyendecker
Burnaman	Lock
Carlton	Love
Carrington	Lucas
Cato	Lyle
Chambers	McDonald
Clark	McLellan
Cleveland	McMurry
Coker	McNamara
Connelly	Manning
Davis	Markle
Deen	Mills
Dickson of Bexar	Montgomery
Dickson of Nolan	Moore
Donald	Morgan
Dove	Morris
Ellis	Morse
Eubank	Murray
Evans	Pace
Ferguson	Parker
Files	Pevehouse
Fuchs	Phillips
Gandy	Price
Garland	Rampy
Gilmer	Reed of Bowie
Goodman	Ridgeway
Halsey	Rhodes
Hanna	Roark
Hardeman	Roberts
Hargis	Sallas
Harris of Hill	Senterfitt
Hartzog	Sharpe
Helpinstill	Simpson
Hileman	Skiles
Hobbs	Smith of Atascosa
Howington	Spacek
Hoyo	Stinson
Huddleston	Stubbs
Hughes	Taylor
Humphrey	Thornton
Hutchinson	Turner
Jones	Vale
Kennedy	Walters
Kinard	Wattner
Klingeman	Weatherford
Knight	White
Lansberry	Winfree

Nays—5

Burkett	Martin
Craig	Matthews
Lowry	

Absent

Bean	Fitzgerald
Blankenship	Henderson
Bundy	Howard
Crossley	Huffman
Crosthwait	Isaacks
Daniel	Kelly
Duckett	King
Dwyer	McAlister

Manford	Spangler
Reed of Dallas	Voigt
Smith of Bastrop	Whitesides

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

SENATE BILL NO. 351 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 351, A bill to be entitled "An Act amending Subdivision 1 of Chapter 2 of Title 86 of the Revised Civil Statutes of 1925; providing for a board of examiners of land surveyors; providing that nothing in this Act shall affect the terms of the present members of such board and that the appointments herein provided shall be made at the expiration of such terms, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 351 ON
THIRD READING

Mr. Gilmer moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Allen	Burnaman
Allison	Carlton
Alsup	Cato
Avant	Chambers
Bailey	Clark
Bell	Cleveland
Benton	Coker
Blankenship	Connelly
Boone	Craig
Brawner	Crossley
Bray	Davis
Bridgers	Deen
Brown	Dickson of Bexar
Bruhl	Dickson of Nolan
Burkett	Dove

Ellis
Eubank
Evans
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Halsey
Hanna
Hardeman
Hargis
Harris of Hill
Hartzog
Hileman
Hobbs
Howard
Howington
Hoyo
Huffman
Hughes
Humphrey
Hutchinson
Jones
Kennedy
Kinard
King
Klingeman
Knight
Lansberry
Leyendecker
Lock
Love
Lowry
Lucas
Lyle
McDonald
McLellan

McMurry
Manford
Manning
Markle
Matthews
Mills
Montgomery
Morgan
Morris
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Sharpe
Simpson
Skiles
Smith of Atascosa
Spacek
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Winfree

Absent

Baker	Isaacks
Bean	Kelly
Bullock	McAlister
Bundy	McNamara
Carrington	Martin
Crosthwait	Moore
Donald	Reed of Dallas
Duckett	Smith of Bastrop
Dwyer	Spangler
Goodman	Stinson
Helpinstill	Voigt
Henderson	Whitesides
Huddleston	

Absent—Excused

Celaya	Heflin
Colson, Mrs.	Kersey
Daniel	Lehman
Favors	Little
Harris of Dallas	McCann

McGlasson
Nicholson

Shell
Stanford

The Speaker then laid Senate Bill No. 351 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109

Allen	Huffman
Allison	Hughes
Alsup	Humphrey
Avant	Hutchinson
Bailey	Jones
Bell	Kennedy
Benton	Kinard
Blankenship	King
Boone	Klingeman
Brawner	Knight
Bray	Lansberry
Bridgers	Leyendecker
Brown	Lock
Bruhl	Love
Burkett	Lowry
Burnaman	Lucas
Carlton	Lyle
Cato	McDonald
Chambers	McLellan
Clark	McMurry
Cleveland	Manford
Coker	Manning
Connelly	Markle
Craig	Matthews
Crossley	Mills
Davis	Montgomery
Deen	Morgan
Dickson of Bexar	Morris
Dickson of Nolan	Morse
Dove	Murray
Ellis	Pace
Eubank	Parker
Evans	Pevehouse
Ferguson	Phillips
Files	Price
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Gandy	Ridgeway
Garland	Rhodes
Gilmer	Roark
Halsey	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Sharpe
Harris of Hill	Simpson
Hartzog	Skiles
Hileman	Smith of Atascosa
Hobbs	Spacek
Howard	Stubbs
Howington	Taylor
Hoyo	Thornton

Turner
Vale
Walters
Wattner

Weatherford
White
Winfree

Absent

Baker	Isaacks
Bean	Kelly
Bullock	McAlister
Bundy	McNamara
Carrington	Martin
Crosthwait	Moore
Donald	Reed of Dallas
Duckett	Smith of Bastrop
Dwyer	Spangler
Goodman	Stinson
Helpinstill	Voigt
Henderson	Whitesides
Huddleston	

Absent—Excused

Celaya	Lehman
Colson, Mrs.	Little
Daniel	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford

SENATE BILL NO. 103 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 103, A bill to be entitled "An Act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities, who would not otherwise be able to secure such dwellings within the vicinity thereof, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 103 ON THIRD READING

Mr. Hughes moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106	
Allen	Klingeman
Allison	Knight
Alsup	Lansberry
Avant	Leyendecker
Bailey	Lock
Bell	Love
Benton	Lowry
Boone	Lucas
Bray	Lyle
Bridgers	McAlister
Brown	McDonald
Bruhl	McLellan
Bullock	McMurry
Burnaman	Manford
Carlton	Manning
Carrington	Markle
Cato	Martin
Chambers	Matthews
Clark	Mills
Cleveland	Montgomery
Coker	Moore
Connelly	Morgan
Davis	Morris
Deen	Morse
Dickson of Bexar	Murray
Donald	Pace
Dove	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Ferguson	Rampy
Files	Reed of Bowie
Fuchs	Ridgeway
Gandy	Rhodes
Garland	Roark
Gilmer	Roberts
Goodman	Sallas
Halsey	Senterfitt
Hanna	Simpson
Hardeman	Skiles
Hargis	Smith of Atascosa
Harris of Hill	Spacek
Hartzog	Stubbs
Helpinstill	Taylor
Howard	Thornton
Howington	Turner
Hoyo	Vale
Huddleston	Voigt
Huffman	Walters
Hughes	Wattner
Humphrey	Weatherford
Hutchinson	White
Kennedy	Winfree

Nays—6

Burkett	Dickson of Nolan
Craig	Jones
Crossley	Sharpe

Absent	
Baker	Hobbs
Bean	Isaacks
Blankenship	Kelly
Brawner	Kinard
Bundy	King
Crosthwait	McNamara
Daniel	Reed of Dallas
Duckett	Smith of Bastrop
Dwyer	Spangler
Fitzgerald	Stinson
Henderson	Whitesides
Hileman	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

The Speaker then laid Senate Bill No. 103 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106

Allen	Evans
Allison	Ferguson
Alsup	Files
Avant	Fuchs
Bailey	Gandy
Bell	Garland
Benton	Gilmer
Boone	Goodman
Bray	Halsey
Bridgers	Hanna
Brown	Hardeman
Bruhl	Hargis
Bullock	Harris of Hill
Burnaman	Hartzog
Carlton	Helpinstill
Carrington	Howard
Cato	Howington
Chambers	Hoyo
Clark	Huddleston
Cleveland	Huffman
Coker	Hughes
Connelly	Humphrey
Davis	Hutchinson
Deen	Kennedy
Dickson of Bexar	Klingeman
Donald	Knight
Dove	Lansberry
Ellis	Leyendecker
Eubank	Lock

Love	Price
Lowry	Rampy
Lucas	Reed of Bowie
Lyle	Ridgeway
McAlister	Rhodes
McDonald	Roark
McLellan	Roberts
McMurry	Sallas
Manford	Senterfitt
Manning	Simpson
Markle	Skiles
Martin	Smith of Atascosa
Matthews	Spacek
Mills	Stubbs
Montgomery	Taylor
Moore	Thornton
Morgan	Turner
Morris	Vale
Morse	Voigt
Murray	Walters
Pace	Wattner
Parker	Weatherford
Pevehouse	White
Phillips	Winfree

Nays—6

Burkett	Dickson of Nolan
Craig	Jones
Crossley	Sharpe

Absent

Baker	Hobbs
Bean	Isaacks
Blankenship	Kelly
Brawner	Kinard
Bundy	King
Crosthwait	McNamara
Daniel	Reed of Dallas
Duckett	Smith of Bastrop
Dwyer	Spangler
Fitzgerald	Stinson
Henderson	Whitesides
Hileman	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

SENATE BILL NO. 102 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 102, A bill to be entitled "An Act fixing a time within which any person having a claim against

the State of Texas based on any disbursing order issue, prior to October, 1936, for general or transient relief purposes; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 102 ON THIRD READING

Mr. Carrington moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 102 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Allen	Goodman
Allison	Halsey
Avant	Hanna
Bailey	Hargis
Baker	Hartzog
Bean	Helpinstill
Bell	Hileman
Benton	Hobbs
Blankenship	Howington
Boone	Hoyo
Brawner	Huddleston
Bray	Hughes
Brown	Humphrey
Bruhl	Hutchinson
Bullock	Jones
Burkett	Kennedy
Burnaman	Kinard
Carlton	Klingeman
Carrington	Knight
Cato	Lansberry
Clark	Leyendecker
Cleveland	Lock
Coker	Love
Connelly	Lowry
Craig	Lucas
Crossley	Lyle
Deen	McAlister
Dickson of Bexar	McDonald
Dickson of Nolan	McMurry
Donald	Manford
Dove	Manning
Ellis	Markle
Eubank	Matthews
Evans	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morris
Fuchs	Morse
Gandy	Murray
Garland	Pace
Gilmer	Parker

Pevehouse	Smith of Atascosa
Phillips	Spacek
Price	Stubbs
Rampy	Taylor
Reed of Bowie	Thornton
Ridgeway	Turner
Rhodes	Vale
Roark	Voigt
Roberts	Walters
Sallas	Wattner
Senterfitt	Weatherford
Sharpe	White
Simpson	Winfree
Skiles	

Nays—3

Davis	Martin
King	

Absent

Alsup	Huffman
Bridgers	Isaacks
Bundy	Kelly
Chambers	McLellan
Crothwait	McNamara
Daniel	Morgan
Duckett	Reed of Dallas
Dwyer	Smith of Bastrop
Hardeman	Spangler
Harris of Hill	Stinson
Henderson	Whitesides
Howard	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

The Speaker then laid Senate Bill No. 102 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109

Allen	Bray
Allison	Brown
Avant	Bruhl
Bailey	Bullock
Baker	Burkett
Bean	Burnaman
Bell	Carlton
Benton	Carrington
Blankenship	Cato
Boone	Clark
Brawner	Cleveland

Coker
Connelly
Craig
Crossley
Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Ellis
Eubank
Evans
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Goodman
Halsey
Hanna
Hargis
Hartzog
Helpinstill
Hileman
Hobbs
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Jones
Kennedy
Kinard
Klingeman
Knight
Lansberry
Leyendecker
Lock
Love
Lowry
Lucas

Lyle
McAlister
McDonald
McMurry
Manford
Manning
Markle
Matthews
Mills
Montgomery
Moore
Morris
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Sharpe
Simpson
Skiles
Smith of Atascosa
Spacek
Stubbs
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Winfree

Nays—3

Davis	Martin
King	

Absent

Alsup	Huffman
Bridgers	Isaacks
Bundy	Kelly
Chambers	McLellan
Crothwait	McNamara
Daniel	Morgan
Duckett	Reed of Dallas
Dwyer	Smith of Bastrop
Hardeman	Spangler
Harris of Hill	Stinson
Henderson	Whitesides
Howard	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

HOUSE BILL NO. 1080 ON SECOND READING

Mr. Lyle moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1080 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Allen	Garland
Allison	Gilmer
Alsup	Goodman
Avant	Halsey
Bailey	Hargis
Baker	Harris of Hill
Bell	Hartzog
Benton	Helpinstill
Blankenship	Hileman
Boone	Hobbs
Brawner	Howard
Bray	Howington
Bridgers	Hoyo
Bruhl	Huddleston
Bullock	Hughes
Bundy	Humphrey
Burkett	Hutchinson
Burnaman	Jones
Carlton	Kennedy
Carrington	Klingeman
Cato	Knight
Chambers	Lansberry
Clark	Leyendecker
Cleveland	Love
Coker	Lowry
Connelly	Lucas
Davis	Lyle
Deen	McAllister
Dickson of Bexar	McDonald
Dickson of Nolan	McLellan
Donald	McMurry
Dove	Manford
Ellis	Manning
Eubank	Matthews
Evans	Mills
Ferguson	Montgomery
Files	Moore
Fuchs	Morris
Gandy	Morse

Murray	Simpson
Pace	Skiles
Parker	Smith of Atascosa
Pevehouse	Spacek
Phillips	Stinson
Price	Stubbs
Rampy	Taylor
Reed of Bowie	Thornton
Ridgeway	Turner
Rhodes	Vale
Roark	Walters
Roberts	Wattner
Sallas	Weatherford
Senterfitt	White
Sharpe	Winfree

Nays—2

Craig	Martin
-------	--------

Present—Not Voting

Markle

Absent

Bean	Isaacks
Brown	Kelly
Crossley	Kinard
Crosthwait	King
Daniel	Lock
Duckett	McNamara
Dwyer	Morgan
Fitzgerald	Reed of Dallas
Hanna	Smith of Bastrop
Hardeman	Spangler
Henderson	Voigt
Huffman	Whitesides

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1080, A bill to be entitled "An Act providing that all counties within this State, having a population of not less than eighty thousand (80,000) inhabitants nor more than two hundred twenty-five thousand (225,000) inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, may, upon an order being made by their Commissioners Court for this purpose,

provide for and maintain a county law library; providing for the funds for said library; granting to said Courts all necessary power and authority to make this Act effective; providing that said Act shall be cumulative; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1080 ON THIRD READING

The Speaker then laid House Bill No. 1080 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—108

Allen	Goodman
Allison	Halsey
Alsup	Hargis
Avant	Harris of Hill
Bailey	Hartzog
Baker	Helpinstill
Bell	Hileman
Benton	Hobbs
Blankenship	Howard
Boone	Howington
Brawner	Hoyo
Bray	Huddleston
Bridgers	Hughes
Bruhl	Humphrey
Bullock	Hutchinson
Bundy	Jones
Burkett	Kennedy
Burnaman	Klingeman
Carlton	Knight
Carrington	Lansberry
Cato	Leyendecker
Chambers	Love
Clark	Lowry
Cleveland	Lucas
Coker	Lyle
Connelly	McAlister
Davis	McDonald
Deen	McLellan
Dickson of Bexar	McMurry
Dickson of Nolan	Manford
Donald	Manning
Dove	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Ferguson	Morris
Files	Morse
Fuchs	Murray
Gandy	Pace
Garland	Parker
Gilmer	Pevehouse

Phillips	Smith of Atascosa
Price	Spacek
Rampy	Stinson
Reed of Bowie	Stubbs
Ridgeway	Taylor
Rhodes	Thornton
Roark	Turner
Roberts	Vale
Sallas	Walters
Senterfitt	Wattner
Sharpe	Weatherford
Simpson	White
Skiles	Winfree

Nays—2

Craig	Martin
-------	--------

Present—Not Voting

Markle

Absent

Bean	Isaacks
Brown	Kelly
Crossley	Kinard
Crosthwait	King
Daniel	Lock
Duckett	McNamara
Dwyer	Morgan
Fitzgerald	Reed of Dallas
Hanna	Smith of Bastrop
Hardeman	Spangler
Henderson	Voigt
Huffman	Whitesides

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

SENATE BILL NO. 492 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 492, A bill to be entitled "An Act providing for and fixing compensation for County Auditors in certain counties, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 492 ON THIRD READING

Mr. Hileman moved that the Constitutional Rule requiring bills to be

read on three several days be suspended and that Senate Bill No. 492 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Allen	Huddleston
Allison	Humphrey
Alsup	Hutchinson
Avant	Jones
Bailey	Kelly
Baker	Klingeman
Bell	Knight
Benton	Lansberry
Boone	Leyendecker
Brawner	Lock
Bray	Love
Bridgers	Lowry
Brown	Lucas
Bruhl	Lyle
Bullock	McAlister
Burkett	McDonald
Burnaman	McLellan
Carlton	McMurry
Carrington	Manford
Cato	Markle
Chambers	Matthews
Clark	Mills
Cleveland	Montgomery
Coker	Moore
Connelly	Morgan
Craig	Morris
Crossley	Morse
Daniel	Murray
Davis	Pace
Deen	Parker
Dickson of Bexar	Pevehouse
Dickson of Nolan	Phillips
Donald	Price
Ellis	Rampy
Eubank	Ridgeway
Evans	Rhodes
Ferguson	Roark
Files	Roberts
Fitzgerald	Sallas
Fuchs	Senterfitt
Gandy	Sharpe
Garland	Simpson
Gilmer	Skiles
Goodman	Smith of Atascosa
Halsey	Spacek
Hanna	Stinson
Hargis	Stubbs
Harris of Hill	Taylor
Hartzog	Thornton
Helpinstill	Turner
Hileman	Vale
Hobbs	Walters
Howington	Wattner
Hoyo	Weatherford

White

Winfree

Absent

Bean	Kennedy
Blankenship	Kinard
Bundy	King
Crosthwait	McNamara
Dove	Manning
Duckett	Martin
Dwyer	Reed of Bowie
Hardeman	Reed of Dallas
Henderson	Smith of Bastrop
Howard	Spangler
Huffman	Voigt
Hughes	Whitesides
Isaacks	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

The Speaker then laid Senate Bill No. 492 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111

Allen	Davis
Allison	Deen
Alsup	Dickson of Bexar
Avant	Dickson of Nolan
Bailey	Donald
Baker	Ellis
Bell	Eubank
Benton	Evans
Boone	Ferguson
Brawner	Files
Bray	Fitzgerald
Bridgers	Fuchs
Brown	Gandy
Bruhl	Garland
Bullock	Gilmer
Burkett	Goodman
Burnaman	Halsey
Carlton	Hanna
Carrington	Hargis
Cato	Harris of Hill
Chambers	Hartzog
Clark	Helpinstill
Cleveland	Hileman
Coker	Hobbs
Connelly	Howard
Craig	Howington
Crossley	Hoyo
Daniel	Huddleston

Humphrey	Parker
Hutchinson	Pevehouse
Jones	Phillips
Kelly	Price
Klingeman	Rampy
Knight	Ridgeway
Lansberry	Rhodes
Leyendecker	Roark
Lock	Roberts
Love	Sallas
Lowry	Senterfitt
Lucas	Sharpe
Lyle	Simpson
McAlister	Skiles
McDonald	Smith of Atascosa
McLellan	Spacek
McMurry	Stinson
Manford	Stubbs
Markle	Taylor
Matthews	Thornton
Mills	Turner
Montgomery	Vale
Moore	Walters
Morgan	Wattner
Morris	Weatherford
Morse	White
Murray	Winfree
Pace	

Absent

Bean	Kennedy
Blankenship	Kinard
Bundy	King
Crosthwait	McNamara
Dove	Manning
Duckett	Martin
Dwyer	Reed of Bowie
Hardeman	Reed of Dallas
Henderson	Smith of Bastrop
Huffman	Spangler
Hughes	Voigt
Isaacks	Whitesides

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

HOUSE BILL NO. 1076 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1076, A bill to be entitled "An Act authorizing the qualified voters of Hooks Independent School District situated wholly with-

in Bowie County, a district containing not less than fifty-nine square miles in area, and having an assessed property valuation of not less than three hundred seventy thousand dollars, to determine whether or not any such district shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed one dollar fifty cents on the one hundred dollars' valuation in any one year; provided that not more than one dollar of said tax shall be voted for bond purposes and not more than fifty cents shall be voted for maintenance purposes; providing that said tax shall be authorized, levied, assessed and collected under provisions of the law applicable to independent school district taxes; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1076 ON THIRD READING

Mr. Reed of Bowie moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1076 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Allen	Coker
Allison	Connelly
Alsup	Craig
Avant	Crossley
Bailey	Daniel
Baker	Davis
Bell	Deen
Benton	Dickson of Bexar
Boone	Dickson of Nolan
Brawner	Donald
Bray	Dove
Bridgers	Ellis
Bruhl	Eubank
Bullock	Evans
Burkett	Ferguson
Burnaman	Fitzgerald
Carlton	Fuchs
Carrington	Gandy
Cato	Gilmer
Chambers	Goodman
Clark	Halsey
Cleveland	Hanna

Hardeman	Moore
Hargis	Morgan
Hartzog	Morris
Helpinstill	Morse
Hileman	Murray
Hobbs	Pace
Howington	Parker
Hoyo	Pevehouse
Huddleston	Phillips
Hughes	Price
Humphrey	Rampy
Hutchinson	Reed of Bowie
Jones	Ridgeway
Kelly	Rhodes
Kennedy	Roark
Kinard	Roberts
Klingeman	Sallas
Knight	Senterfitt
Lansberry	Simpson
Leyendecker	Smith of Atascosa
Lock	Spacek
Love	Stinson
Lowry	Stubbs
Lucas	Taylor
McAlister	Thornton
McDonald	Turner
McMurry	Vale
Manford	Voigt
Manning	Walters
Markle	Wattner
Matthews	White
Mills	Winfree
Montgomery	

Nays—1

McLellan

Absent

Bean	Isaacks
Blankenship	King
Brown	Lyle
Bundy	McNamara
Crosthwait	Martin
Duckett	Reed of Dallas
Dwyer	Sharpe
Files	Skiles
Garland	Smith of Bastrop
Harris of Hill	Spangler
Henderson	Weatherford
Howard	Whitesides
Huffman	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

The Speaker then laid House Bill No. 1076 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109

Allen	Huddleston
Allison	Hughes
Alsup	Humphrey
Avant	Hutchinson
Bailey	Jones
Baker	Kelly
Bell	Kennedy
Benton	Kinard
Boone	Klingeman
Brawner	Knight
Bray	Lansberry
Bridgers	Leyendecker
Bruhl	Lock
Bullock	Love
Burkett	Lowry
Burnaman	Lucas
Carlton	McAlister
Carrington	McDonald
Cato	McMurry
Chambers	Manford
Clark	Manning
Cleveland	Markle
Coker	Matthews
Connelly	Mills
Craig	Montgomery
Crossley	Moore
Daniel	Morgan
Davis	Morris
Deen	Morse
Dickson of Bexar	Murray
Dickson of Nolan	Pace
Donald	Parker
Dove	Pevehouse
Ellis	Phillips
Eubank	Price
Evans	Rampy
Ferguson	Reed of Bowie
Fitzgerald	Ridgeway
Fuchs	Rhodes
Gandy	Roark
Gilmer	Roberts
Goodman	Sallas
Halsey	Senterfitt
Hanna	Simpson
Hardeman	Smith of Atascosa
Hargis	Spacek
Hartzog	Stinson
Helpinstill	Stubbs
Hileman	Taylor
Hobbs	Thornton
Howington	Turner
Hoyo	Vale

Voigt
Walters
Wattner

White
Winfree

Nays—1

McLellan

Absent

Bean	Isaacks
Blankenship	King
Brown	Lyle
Bundy	McNamara
Crosthwait	Martin
Duckett	Reed of Dallas
Dwyer	Sharpe
Files	Skiles
Garland	Smith of Bastrop
Harris of Hill	Spangler
Henderson	Weatherford
Howard	Whitesides
Huffman	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

HOUSE BILL NO. 1056 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1056, A bill to be entitled "An Act to amend Section 2 of House Bill No. 160, Acts of the First Called Session of the Forty-first Legislature, Chapter 83, page 209, by authorizing any city or county, having a population of not less than fifteen thousand (15,000) and not more than fifteen thousand two hundred fifty (15,250) to issue its general obligation bonds or warrants for the purpose of acquiring and improving land for airport purposes; providing that the authority given for the issuance of such bonds and the levy or collection of taxes in payment thereof shall be exercised in accordance with the provisions of Chapter 1, Title 22, Revised Civil Statutes, 1925; providing that no election shall be necessary to authorize the issuance of such warrants but the city or county shall comply with the provisions of Chapter 163, Acts of the Regular Session of the Forty-second Legislature with reference to

notice of intention to issue such warrants, and the levy of taxes in payment thereof, and the right to referendum election therein specified shall apply; providing that this Act shall not repeal any existing law; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

The bill was read second time.

Mr. White offered the following amendment to the bill:

Amend House Bill No. 1056 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 2 of House Bill No. 160, Acts of the First Called Session of the 41st Legislature, Chapter 83, page 209, be and the same is hereby amended so as to hereafter read as follows:

"Section 2. A. For the purpose of condemning or purchasing either or both, lands to be used and maintained as provided in Section 1 hereof, and improving and equipping the same for such use, the governing body of any city or the Commissioners' Court of any county, falling within the terms of such Section, may issue negotiable bonds of the city or of the county, as the case may be, and levy taxes to provide for the interest and sinking funds of any such bonds so issued, the authority hereby given for the issuance of such bonds and levy and collection of such taxes to be exercised in accordance with the provisions of Chapter 1 of Title 22 of the Revised Civil Statutes of 1925.

"Sec. 2. B. In Addition to the powers herein granted, the Commissioners' Courts of counties having a population of not less than fifteen thousand (15,000) and not more than fifteen thousand two hundred fifty (15,250), according to the last preceding Federal Census, are hereby authorized to issue time warrants for the purposes herein stated, but the Commissioners' Court of any such county proposing to issue such warrants, shall comply with the provisions of Chapter 163, Acts of the 42nd Legislature, with reference to notice to issue such warrants and

with reference to the levy and collection of taxes in payment thereof, and the right to referendum, election, therein shall apply."

Sec. 2. This Act shall not repeal any law already in existence, but any such existing law shall and does remain in full force and effect.

Sec. 3. The public importance of the purposes herein contemplated, and the fact that the United States Government is now engaged in the improvement of public airports as a part of its emergency National Defense program, create an emergency and an imperative public necessity requiring that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Amend caption to conform to the body of the Act.

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1056 was then passed to engrossment.

HOUSE BILL NO. 1056 ON THIRD READING

Mr. White moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1056 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Allen	Bruhl
Allison	Bundy
Alsup	Burkett
Avant	Burnaman
Bailey	Carlton
Baker	Carrington
Bell	Cato
Benton	Chambers
Boone	Clark
Brawner	Cleveland
Bray	Coker
Bridgers	Connelly

Craig
Crossley
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Ellis
Eubank
Evans
Ferguson
Fitzgerald
Fuchs
Gandy
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Hill
Helpinstill
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Jones
Kelly
Kennedy
Kinard
Klingeman
Knight
Lansberry
Leyendecker
Lock
Love

Lowry
Lucas
McAllister
McDonald
McLellan
McMurry
Manford
Markle
Matthews
Mills
Montgomery
Moore
Morgan
Morris
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Sharpe
Skiles
Smith of Atascosa
Spacek
Stinson
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
White
Winfree

Absent

Bean	King
Blankenship	Lyle
Brown	McNamara
Bullock	Manning
Crosthwait	Martin
Duckett	Reed of Dallas
Dwyer	Simpson
Files	Smith of Bastrop
Garland	Spangler
Hartzog	Stubbs
Henderson	Weatherford
Huffman	Whitesides
Isaacks	

Absent—Excused

Celaya	Favors
Colson, Mrs.	Harris of Dallas

Hefin
Kersey
Lehman
Little
McCann

McGlasson
Nicholson
Shell
Stanford

The Speaker then laid House Bill No. 1056 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110

Allen	Hileman
Allison	Hobbs
Alsup	Howard
Avant	Howington
Bailey	Hoyo
Baker	Huddleston
Bell	Hughes
Benton	Humphrey
Boone	Hutchinson
Brawner	Jones
Bray	Kelly
Bridgers	Kennedy
Bruhl	Kinard
Bundy	Klingeman
Burkett	Knight
Burnaman	Lansberry
Carlton	Leyendecker
Carrington	Lock
Cato	Love
Chambers	Lowry
Clark	Lucas
Cleveland	McAlister
Coker	McDonald
Connelly	McLellan
Craig	McMurry
Crossley	Manford
Daniel	Markle
Davis	Matthews
Deen	Mills
Dickson of Bexar	Montgomery
Dickson of Nolan	Moore
Donald	Morgan
Dove	Morris
Ellis	Morse
Eubank	Murray
Evans	Pace
Ferguson	Parker
Fitzgerald	Pevehouse
Fuchs	Phillips
Gandy	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Ridgeway
Hanna	Rhodes
Hardeman	Roark
Hargis	Roberts
Harris of Hill	Sallas
Helpinstill	Senterfitt

Sharpe	Turner
Skiles	Vale
Smith of Atascosa	Voigt
Spacek	Walters
Stinson	Wattner
Taylor	White
Thornton	Winfree

Absent

Bean	King
Blankenship	Lyle
Brown	McNamara
Bullock	Manning
Crosthwait	Martin
Duckett	Reed of Dallas
Dwyer	Simpson
Files	Smith of Bastrop
Garland	Spangler
Hartzog	Stubbs
Henderson	Weatherford
Huffman	Whitesides
Isaacks	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Hefin	Shell
Kersey	Stanford
Lehman	

SENATE BILL NO. 238 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 238, A bill to be entitled "An Act providing for the leasing of all islands, salt water lakes, bays, inlets, marshes, and reefs owned by the State within tidewater limits, and that portion of the Gulf of Mexico within the jurisdiction of Texas, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 238 ON THIRD READING

Mr. Skiles moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 238 be placed on its third reading and final passage.

The motion prevailed by the following vote:

[illegible]

Huddleston	Pace
Humphrey	Parker
Hutchinson	Pevehouse
Jones	Phillips
Kelly	Price
Kennedy	Rampy
Kinard	Reed of Bowie
Klingeman	Ridgeway
Knight	Rhodes
Lansberry	Roark
Leyendecker	Roberts
Lock	Sallas
Love	Senterfitt
Lowry	Simpson
Lucas	Skiles
Lyle	Smith of Atascosa
McAlister	Spacek
McLellan	Stinson
McMurry	Stubbs
Manford	Taylor
Manning	Thornton
Markle	Turner
Matthews	Vale
Montgomery	Voigt
Moore	Walters
Morgan	Wattner
Morris	Weatherford
Morse	White
Murray	Winfree

Nays—4

Bray	Craig
Burkett	Sharpe

Present—Not Voting

Fitzgerald

Absent

Bean	Hughes
Brawner	Isaacks
Bullock	King
Chambers	McDonald
Crothwait	McNamara
Duckett	Martin
Dwyer	Mills
Garland	Reed of Dallas
Gilmer	Smith of Bastrop
Halsey	Spangler
Huffman	Whitesides

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McGlasson
Harris of Dallas	Nicholson
Heflin	Shell
Kersey	Stanford
Lehman	

RELATIVE TO HOUSE
BILL NO. 275

Mr. Lansberry moved that House Bill No. 275 be laid on the table subject to call.

The motion was lost.

MOTION TO SUSPEND
THE RULES

Mr. Smith of Atascosa moved that the Rules be suspended for the purpose of making a motion to print in the Journal the names of those Members who object to the consideration of House Bill No. 85.

The motion was lost.

HOUSE BILL NO. 1047 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1047, A bill to be entitled "An Act providing for the extension of the primary term of oil, gas or mineral leases heretofore or hereafter issued by the Commissioner of the General Land Office which lease has been, is, or which may hereafter become involved in litigation relating to its validity or to the authority of the Commissioner of the General Land Office to lease the land covered thereby, for a period of five (5) years; providing the terms and conditions upon which such lease may be extended; providing the time for the application for such extension, etc.; and declaring an emergency."

The bill was read second time.

Mr. Hardeman offered the following amendment to the bill:

Amend House Bill No. 1047 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. The running of the primary term of any oil, gas, or mineral lease heretofore or hereafter issued by the Commissioner of the General Land Office, which lease has been, is, or which may hereafter become involved in litigation relating to the validity of such lease or to the authority of the Commissioner of the General Land Office to lease

the land covered thereby, shall be suspended and all obligations imposed by such leases shall be set at rest during the period of such litigation. After the rendition of final judgment in any such litigation the running of the primary term of such leases shall commence again and continue for the remainder of the period specified in such leases and all obligations and duties imposed thereby shall again be operative; provided such litigation has been instituted at least six months prior to the expiration of the primary term of any such leases.

"Sec. 2. The importance of this Act and the crowded condition of the calendar create an emergency and imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be, and the same is hereby suspended, and that this Act shall take effect from and after the date of its passage and it is so enacted."

The amendment was adopted.

Mr. Hardeman offered the following amendment to the bill:

Amend House Bill No. 1047 by striking out above the enacting clause and inserting in lieu thereof the following:

A BILL

To Be Entitled

"An Act suspending the running of the primary term of any oil, gas, or mineral lease heretofore or hereafter issued by the Commissioner of the General Land Office which lease has been, is, or which may hereafter become involved in litigation relating to the validity of such lease or to the authority of the Commissioner of the General Land Office to lease the land covered thereby and setting at rest all obligations imposed by such leases during the period of such litigation; providing for the commencement of the running of the primary term of such leases for the remainder of the period specified therein after the rendition of final judgment in any such litigation; and declaring an emergency."

The amendment was adopted.

House Bill No. 1047 was then passed to engrossment.

HOUSE BILL NO. 1047 ON THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1047 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Allen	Helpinstill
Allison	Henderson
Alsup	Hileman
Avant	Hobbs
Bailey	Howington
Baker	Hoyo
Bean	Huddleston
Bell	Huffman
Benton	Hughes
Boone	Humphrey
Brawner	Hutchinson
Bray	Jones
Brown	Kelly
Bruhl	Kennedy
Burnaman	Kinard
Carlton	Klingeman
Carrington	Knight
Cato	Lansberry
Chambers	Leyendecker
Cleveland	Love
Coker	Lucas
Connelly	McLellan
Craig	McMurry
Crossley	McNamara
Daniel	Manford
Davis	Manning
Deen	Markle
Dickson of Bexar	Martin
Dickson of Nolan	Matthews
Donald	Mills
Ellis	Montgomery
Eubank	Moore
Evans	Morgan
Ferguson	Morris
Files	Morse
Fitzgerald	Murray
Fuchs	Pace
Gandy	Pevehouse
Gilmer	Phillips
Goodman	Price
Halsey	Reed of Bowie
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Hill	Roberts
Hartzog	Sallas

Senterfitt	Thornton
Sharpe	Turner
Simpson	Vale
Skiles	Voigt
Smith of Atascosa	Walters
Spacek	Wattner
Stinson	Weatherford
Stubbs	White
Taylor	

Absent

Blankenship	King
Bridgers	Lock
Bullock	Lowry
Bundy	Lyle
Burkett	McAlister
Clark	Parker
Crosthwait	Rampy
Dove	Reed of Dallas
Duckett	Smith of Bastrop
Dwyer	Spangler
Garland	Whitesides
Howard	Winfree
Isaacks	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

The Speaker then laid House Bill No. 1047 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110

Allen	Chambers
Allison	Clark
Alsup	Cleveland
Avant	Coker
Bailey	Connelly
Baker	Craig
Bean	Crossley
Bell	Daniel
Benton	Davis
Boone	Deen
Brawner	Dickson of Bexar
Bray	Dickson of Nolan
Brown	Donald
Bruhl	Ellis
Burnaman	Eubank
Carlton	Evans
Carrington	Ferguson
Cato	Files

Fitzgerald
Fuchs
Gandy
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Hill
Hartzog
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Hutchinson
Jones
Kelly
Kennedy
Kinard
Klingeman
Knight
Lansberry
Leyendecker
Love
Lucas
McLellan
McMurry
McNamara
Manford
Manning

Markie
Martin
Matthews
Mills
Montgomery
Moore
Morgan
Morris
Morse
Murray
Pace
Pevehouse
Phillips
Price
Reed of Bowie
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Sharpe
Simpson
Skiles
Smith of Atascosa
Spacek
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White

Absent

Blankenship	King
Bridgers	Lock
Bullock	Lowry
Bundy	Lyle
Burkett	McAlister
Crosthwait	Parker
Dove	Rampy
Duckett	Reed of Dallas
Dwyer	Smith of Bastrop
Garland	Spangler
Howard	Whitesides
Isaacks	Winfree

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

SENATE BILL NO. 284 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 284, A bill to be entitled "An Act relating to taxes in Common and Independent School Districts; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 284 ON
THIRD READING

Mr. Ferguson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 284 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Allen	Files
Allison	Fitzgerald
Alsup	Fuchs
Avant	Gandy
Bailey	Gilmer
Baker	Goodman
Bean	Halsey
Bell	Hanna
Benton	Hardeman
Boone	Hargis
Brawner	Harris of Hill
Brown	Hartzog
Bruhl	Helpinstill
Bullock	Henderson
Burnaman	Hileman
Carlton	Hobbs
Carrington	Howard
Cato	Howington
Chambers	Hoyo
Clark	Huddleston
Cleveland	Huffman
Coker	Hughes
Connelly	Humphrey
Crossley	Hutchinson
Daniel	Jones
Deen	Kelly
Dickson of Nolan	Kennedy
Donald	Kinard
Dove	Knight
Dwyer	Leyendecker
Ellis	Lock
Eubank	Love
Evans	Lowry
Ferguson	Lucas

Lyle	Reed of Bowie
McAlister	Rhodes
McLellan	Roark
McMurry	Roberts
Manford	Sallas
Martin	Sharpe
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Atascosa
Moore	Spacek
Morgan	Stinson
Morris	Stubbs
Morse	Taylor
Murray	Thornton
Pace	Turner
Parker	Vale
Pevehouse	Walters
Phillips	Wattner
Price	Weatherford
Rampy	White

Nays—10

Bray	Lansberry
Burkett	McNamara
Craig	Markle
Dickson of Bexar	Ridgeway
Klingeman	Senterfitt

Absent

Blankenship	King
Bridgers	Manning
Bundy	Reed of Dallas
Crosthwait	Smith of Bastrop
Davis	Spangler
Duckett	Voigt
Garland	Whitesides
Isaacks	Winfree

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

The Speaker then laid Senate Bill No. 284 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—108

Allen	Bean
Allison	Bell
Alsup	Benton
Avant	Boone
Bailey	Brawner
Baker	Brown

Bruhl	Kennedy
Bullock	Kinard
Burnaman	Knight
Carlton	Leyendecker
Carrington	Lock
Cato	Love
Chambers	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McAlister
Connelly	McLellan
Crossley	McMurry
Daniel	Manford
Deen	Martin
Dickson of Nolan	Matthews
Donald	Mills
Dove	Montgomery
Dwyer	Moore
Ellis	Morgan
Eubank	Morris
Evans	Morse
Ferguson	Murray
Files	Pace
Fitzgerald	Parker
Fuchs	Pevehouse
Gandy	Phillips
Gilmer	Price
Goodman	Rampy
Halsey	Reed of Bowie
Hanna	Rhodes
Hardeman	Roark
Hargis	Roberts
Harris of Hill	Sallas
Hartzog	Sharpe
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Atascosa
Hobbs	Spacek
Howard	Stinson
Howington	Stubbs
Hoyo	Taylor
Huddleston	Thornton
Huffman	Turner
Hughes	Vale
Humphrey	Walters
Hutchinson	Wattner
Jones	Weatherford
Kelly	White

Nays—10

Bray	Lansberry
Burkett	McNamara
Craig	Markle
Dickson of Bexar	Ridgeway
Klingeman	Senterfitt

Absent

Blankenship	Duckett
Bridgers	Garland
Bundy	Isaacks
Crosthwait	King
Davis	Manning

Reed of Dallas	Voigt
Smith of Bastrop	Whitesides
Spangler	Winfree

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

Mr. Fitzgerald moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 501 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 501, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the Counties of Tom Green, Irion, Sterling, Reagan and Glasscock for a period of five (5) years; prescribing penalty for the violation of this Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 501 ON
THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 501 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Allen	Bruhl
Allison	Bullock
Alsup	Bundy
Avant	Burkett
Bailey	Burnaman
Baker	Carlton
Bean	Carrington
Bell	Cato
Boone	Chambers
Brawner	Cleveland
Bray	Coker
Brown	Connelly

Craig	Lock
Crossley	Love
Daniel	Lowry
Deen	Lucas
Dickson of Bexar	Lyle
Dickson of Nolan	McAlister
Donald	McMurry
Dove	McNamara
Dwyer	Manning
Ellis	Markle
Eubank	Martin
Evans	Matthews
Ferguson	Mills
Files	Montgomery
Fitzgerald	Moore
Fuchs	Morgan
Gandy	Morris
Gilmer	Morse
Goodman	Murray
Halsey	Pace
Hanna	Parker
Hardeman	Pevehouse
Hargis	Phillips
Harris of Hill	Price
Hartzog	Rampy
Helpinstill	Reed of Bowie
Henderson	Ridgeway
Hileman	Rhodes
Hobbs	Roberts
Howard	Sallas
Howington	Senterfitt
Hoyo	Sharpe
Huddleston	Simpson
Huffman	Smith of Atascosa
Hughes	Spacek
Humphrey	Stinson
Hutchinson	Stubbs
Jones	Taylor
Kelly	Thornton
Kennedy	Turner
Kinard	Vale
Klingeman	Walters
Knight	Wattner
Lansberry	Weatherford
Leyendecker	White

Present—Not Voting

Manford

Absent

Benton	McLellan
Blankenship	Reed of Dallas
Bridgers	Roark
Clark	Skiles
Crothwait	Smith of Bastrop
Davis	Spangler
Duckett	Voigt
Garland	Whitesides
Isaacks	Winfree
King	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

The Speaker then laid House Bill No. 501 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—115

Allen	Halsey
Allison	Hanna
Alsup	Hardeman
Avant	Hargis
Bailey	Harris of Hill
Baker	Hartzog
Bean	Helpinstill
Bell	Henderson
Boone	Hileman
Brawner	Hobbs
Bray	Howard
Brown	Howington
Bruhl	Hoyo
Bullock	Huddleston
Bundy	Huffman
Burkett	Hughes
Burnaman	Humphrey
Carlton	Hutchinson
Carrington	Jones
Cato	Kelly
Chambers	Kennedy
Clark	Kinard
Cleveland	Klingeman
Coker	Knight
Connelly	Lansberry
Craig	Leyendecker
Crossley	Lock
Daniel	Love
Deen	Lowry
Dickson of Bexar	Lucas
Dickson of Nolan	Lyle
Donald	McAlister
Dove	McMurry
Dwyer	McNamara
Ellis	Manning
Eubank	Markle
Evans	Martin
Ferguson	Matthews
Files	Mills
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morgan
Gilmer	Morris
Goodman	Morse

Murray	Simpson
Pace	Smith of Atascosa
Parker	Spacek
Pevehouse	Stinson
Phillips	Stubbs
Price	Taylor
Rampy	Thornton
Reed of Bowie	Turner
Ridgeway	Vale
Rhodes	Walters
Roberts	Wattner
Sallas	Weatherford
Senterfitt	White
Sharpe	

Present—Not Voting

Manford

Absent

Benton	McLellan
Blankenship	Reed of Dallas
Bridgers	Roark
Crosthwait	Skiles
Davis	Smith of Bastrop
Duckett	Spangler
Garland	Voigt
Isaacks	Whitesides
King	Winfree

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

HOUSE BILL NO. 502 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 502, A bill to be entitled "An Act to amend Senate Bill No. 175, being Chapter 15 of the Acts of the Forty-sixth Legislature, approved March 25, 1939, authorizing independent school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasia, stadia, or other recreational facilities, and to authorize the purchase of additional buildings and grounds for such purposes, and to mortgage and encumber the same, and the income there-

of, and to evidence the obligation therefor by the issuance of bonds to secure the payments of funds to purchase or construct or to purchase and construct the same; etc., and declaring an emergency."

The bill was read second time.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 502 was then passed to engrossment.

HOUSE BILL NO. 502 ON THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 502 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Allen	Ellis
Allison	Eubank
Alsup	Evans
Avant	Ferguson
Bailey	Files
Baker	Fitzgerald
Bean	Gandy
Bell	Goodman
Benton	Halsey
Blankenship	Hanna
Boone	Hardeman
Brawner	Hargis
Bray	Harris of Hill
Bridgers	Hartzog
Brown	Helpinstill
Bruhl	Henderson
Bullock	Hileman
Bundy	Howington
Burnaman	Hoyo
Carlton	Huffman
Carrington	Hughes
Cato	Humphrey
Chambers	Hutchinson
Clark	Isaacks
Cleveland	Jones
Coker	Kelly
Connelly	Kennedy
Daniel	Kinard
Davis	Knight
Deen	Leyendecker
Dickson of Bexar	Lock
Dickson of Nolan	Love
Donald	Lucas
Dwyer	Lyle

McAlister	Rhodes
McMurry	Roark
McNamara	Roberts
Markle	Sallas
Martin	Senterfitt
Matthews	Simpson
Montgomery	Skiles
Moore	Smith of Bastrop
Morgan	Smith of Atascosa
Morris	Spacek
Morse	Taylor
Murray	Turner
Pace	Vale
Parker	Voigt
Phillips	Walters
Price	Wattner
Rampy	Weatherford
Reed of Bowie	White
Ridgeway	

Nays—5

Burkett	Lowry
Craig	Thornton
Klingeman	

Present—Not Voting

Lansberry

Absent

Crossley	Manford
Crosthwait	Manning
Dove	Mills
Duckett	Pevehouse
Fuchs	Reed of Dallas
Garland	Sharpe
Gilmer	Spangler
Hobbs	Stinson
Howard	Stubbs
Huddleston	Whitesides
King	Winfree
McLellan	

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

The Speaker then laid House Bill No. 502 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106

Allen	Avant
Allison	Bailey
Alsop	Baker

Bean	Humphrey
Bell	Hutchinson
Benton	Isaacks
Blankenship	Jones
Boone	Kelly
Brawner	Kennedy
Bray	Kinard
Bridgers	Knight
Brown	Leyendecker
Bruhl	Lock
Bullock	Love
Bundy	Lucas
Burnaman	Lyle
Carlton	McAlister
Carrington	McMurry
Cato	McNamara
Chambers	Markle
Clark	Martin
Cleveland	Matthews
Coker	Montgomery
Connelly	Moore
Daniel	Morgan
Davis	Morris
Deen	Morse
Dickson of Bexar	Murray
Dickson of Nolan	Pace
Donald	Parker
Dwyer	Phillips
Ellis	Price
Eubank	Rampy
Evans	Reed of Bowie
Ferguson	Ridgeway
Files	Rhodes
Fitzgerald	Roark
Gandy	Roberts
Goodman	Sallas
Halsey	Senterfitt
Hanna	Simpson
Hardeman	Skiles
Hargis	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Hartzog	Spacek
Helpinstill	Taylor
Henderson	Turner
Hileman	Vale
Howard	Voigt
Howington	Walters
Hoyo	Wattner
Huffman	Weatherford
Hughes	White

Nays—5

Burkett	Lowry
Craig	Thornton
Klingeman	

Present—Not Voting

Lansberry

Absent

Crossley	Crosthwait
----------	------------

Dove	Manning
Duckett	Mills
Fuchs	Pevehouse
Garland	Reed of Dallas
Gilmer	Sharpe
Hobbs	Spangler
Huddleston	Stinson
King	Stubbs
McLellan	Whitesides
Manford	Winfree

Absent—Excused

Celaya	Little
Colson, Mrs.	McCann
Favors	McDonald
Harris of Dallas	McGlasson
Heflin	Nicholson
Kersey	Shell
Lehman	Stanford

(Mr. Lansberry in the Chair.)

SENATE BILL NO. 379 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 379, A bill to be entitled "An Act regulating commissions and renewal contracts of agents with Life Insurance Companies doing business in Texas whose books and records are not located in Texas; etc., and declaring an emergency."

The bill was read second time.

Mr. Stinson offered the following committee amendment to the bill:

Amend Senate Bill No. 379 by striking out Section 1 and insert in lieu thereof the following:

Section 1. If any life insurance company now engaged or which hereafter may be engaged in the business of issuing policies of life insurance upon the lives of citizens of this state shall discontinue such business, it shall nevertheless continue to be liable for the payment of renewal or service commissions on policies of life insurance theretofore written in accordance with the terms of its agency contracts theretofore made with agents residing in the State of Texas.

Every such company shall furnish monthly to each person who may be entitled to receive service or renewal commissions for such company a statement showing such policies written by such person for such com-

pany as shall have terminated during the month for which the statement is made, and shall furnish to each such person not less than quarterly a detailed statement of all policies written by such person for such company on the lives of residents of the State of Texas, showing the policies in force, the policies which have terminated, and the reason for termination. Provided, however, that no such statements need be furnished after the period during which service or renewal commissions are payable has ended as to all of the policies written by such person for such company.

In any suit against any such company for the recovery of service or renewal commissions, it shall be presumed that all policies written in such company upon the lives of residents of Texas by the person bringing such suit have continued in effect unless and until the contrary is proven by the defendant by competent evidence."

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 379 was then passed to third reading.

SENATE BILL NO. 379 ON
THIRD READING

Mr. Stinson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 379 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Allen	Bruhl
Allison	Bullock
Alsup	Burkett
Avant	Burnaman
Bailey	Carlton
Baker	Carrington
Bell	Cato
Benton	Clark
Blankenship	Cleveland
Boone	Coker
Bray	Connelly
Bridgers	Craig

Crossley	Leyendecker
Crothwait	Lock
Daniel	Love
Davis	Lowry
Dickson of Bexar	Lucas
Dickson of Nolan	Lyle
Donald	McAlister
Dove	McLellan
Duckett	McMurry
Dwyer	McNamara
Ellis	Markle
Eubank	Martin
Evans	Matthews
Ferguson	Mills
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morris
Gilmer	Morse
Halsey	Pace
Hanna	Pevehouse
Hardeman	Phillips
Hargis	Price
Harris of Hill	Reed of Bowie
Hartzog	Ridgeway
Helpinstill	Rhodes
Henderson	Roberts
Hileman	Sallas
Hobbs	Senterfitt
Hoyo	Simpson
Huddleston	Skiles
Huffman	Smith of Atascosa
Hughes	Spacek
Humphrey	Stinson
Hutchinson	Stubbs
Isaacks	Taylor
Kelly	Thornton
Kennedy	Vale
Kinard	Voigt
King	Walters
Klingeman	Wattner
Knight	Weatherford

Nays—3

Howington	Murray
Jones	

Absent

Bean	Manning
Brawner	Morgan
Brown	Parker
Bundy	Rampy
Chambers	Reed of Dallas
Deen	Roark
Files	Sharpe
Garland	Smith of Bastrop
Goodman	Spangler
Heflin	White
Howard	Whitesides
Manford	Winfree

Absent—Excused

Celaya	McCann
Colson, Mrs.	McDonald
Favors	McGlasson
Harris of Dallas	Nicholson
Kersey	Shell
Lehman	Stanford
Little	Turner

The Chair then laid Senate Bill No. 379 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106

Allen	Hardeman
Allison	Hargis
Alsup	Harris of Hill
Avant	Hartzog
Bailey	Helpinstill
Baker	Henderson
Bell	Hileman
Benton	Hobbs
Blankenship	Hoyo
Boone	Huddleston
Bray	Huffman
Bridgers	Hughes
Bruhl	Humphrey
Bullock	Hutchinson
Burkett	Isaacks
Burnaman	Kelly
Carlton	Kennedy
Carrington	Kinard
Cato	King
Clark	Klingeman
Cleveland	Knight
Coker	Leyendecker
Connelly	Lock
Craig	Love
Crossley	Lowry
Crothwait	Lucas
Daniel	Lyle
Davis	McAlister
Dickson of Bexar	McLellan
Dickson of Nolan	McMurry
Donald	McNamara
Dove	Markle
Duckett	Martin
Dwyer	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Ferguson	Morris
Fitzgerald	Morse
Fuchs	Pace
Gandy	Pevehouse
Gilmer	Phillips
Halsey	Price
Hanna	Reed of Bowie

Ridgeway	Stinson
Rhodes	Stubbs
Roberts	Taylor
Sallas	Thornton
Senterfitt	Vale
Simpson	Voigt
Skiles	Walters
Smith of Atascosa	Wattner
Spacek	Weatherford

Nays—3

Howington	Murray
Jones	

Absent

Bean	Manning
Brawner	Morgan
Brown	Parker
Bundy	Rampy
Chambers	Reed of Dallas
Deen	Roark
Files	Sharpe
Garland	Smith of Bastrop
Goodman	Spangler
Heflin	White
Howard	Whitesides
Manford	Winfree

Absent—Excused

Celaya	McCann
Colson, Mrs.	McDonald
Favors	McGlasson
Harris of Dallas	Nicholson
Kersey	Shell
Lehman	Stanford
Little	Turner

SUSPENDING JOINT RULES

Mr. Wattner offered the following resolution:

H. C. R. No. 225, Suspending Joint Rules to consider Senate Bill No. 497.

Whereas, Senate Bill No. 497, which is a bill defining sabotage and prohibiting the offense of sabotage in the State of Texas, is now pending on third reading in the Senate; and

Whereas, There is an imperative public necessity that legislation of this nature be immediately enacted in Texas; now, therefore, be it

Resolved, By the House of Representatives of Texas, the Senate concurring, that the Joint Rules of the House and the Senate of the 47th Legislature be and are hereby suspended to permit the consideration of Senate Bill No. 497 in the Senate on

House Bill days, either June 11 or 12, or any House Bill day thereafter.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, June 10, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 490, A bill to be entitled "An Act to amend Section 4 of Article XVIII of House Bill No. 8, Acts of the 47th Legislature, Regular Session, to provide for the allocation of funds collected under Article XVIII, of House Bill No. 8, Acts of the 47th Legislature, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL ON FIRST
READING

The following Senate bill received from the Senate was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 490 to the Committee on Appropriations.

ADJOURNMENT

On motion of Mr. Carlton, the House at 4:55 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE
REPORT

The Committee on Counties filed a favorable report on House Bill No. 1080.

REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 221, Granting the Highway Department the right to an easement through property of the State Orphans Home at Corsicana.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 209, Granting Heiner B. McPherson permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 210, Providing for recess of the Legislature from June 16, 1941, at twelve o'clock noon until July 14, 1941 at noon.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 220, Urging Congress and the President to take immediate action toward utilizing natural resources and to prevent strikes and labor disturbances.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 10, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 222, To permit the Treasurer of the State of Texas to pay State Warrants at their face

value which are issued pursuant to the provisions of House Bill No. 930 of the Forty-seventh Legislature.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 10, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 219, Proclaiming May 30th as a legal holiday in Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 10, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 1, Proposing an amendment to Article III of the Constitution of the State of Texas by adding a new section thereto to be known as Section 49a, requiring all bills passed by the Legislature on and after January 1, 1945, appropriating money for any purpose, to be sent to the Comptroller of Public Accounts for his approval, and fixing the duties of the Comptroller with reference thereto; authorizing the Legislature to provide for the issuance, sale, and retirement of serial bonds, equal in principal to the total outstanding valid, and approved obligations owing by the General Revenue Fund on September 1, 1943; providing for the submission of this amendment to the voters of this State; prescribing the form of ballot; providing for the proclamation and publication thereof; and providing for the necessary expenses for the submission of this amendment.

Has carefully compared same and finds it correctly enrolled

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

June 10, 1941

House Bill No. 1074.

House Joint Resolution No. 1.

House Concurrent Resolution No. 201.

In Memory of Bennie Glass

Mr. Hileman offered the following resolution:

H. S. R. No. 329, In Memory of Mr. Bennie Glass.

Whereas, A distinguished and useful life came to an untimely end in the death of Bennie Glass on the 29th day of May, 1941; and

Whereas, Bennie Glass unselfishly served his church and community ably and well; and

Whereas, In his passing the State has lost a true and trusted citizen who was prominent in church activities throughout his life; and

Whereas, His county has lost a good and useful citizen, his wife a loving husband, his children a devoted father, his friends a good and loyal friend; and

Whereas, We desire to perpetuate our love and esteem for Bennie Glass as a friend, a loyal church worker, and a worthy citizen; now, therefore,

Be it resolved by the Legislature of the State of Texas, That the House of Representatives of the 47th Legislature of the State of Texas officially expresses its deepest sorrow and bereavement upon the death of Bennie Glass, and extend to his family and to his countless friends that measure of consolation of which humanity is capable with the assurance to those who sorrowed at his passing, that his life and activities which every memory is a monument; and be it further

Resolved, That a copy of this resolution be furnished the members of his family, and be it further

Resolved, That when the House stands adjourned today that it do so in memory of Bennie Glass.

HILEMAN.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurphy, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampey, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Fitzgerald, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.